

STATE OF MINNESOTA

# Journal of the Senate

EIGHTY-THIRD LEGISLATURE

---

SIXTY-EIGHTH DAY

St. Paul, Minnesota, Monday, March 1, 2004

The Senate met at 11:00 a.m. and was called to order by the President.

## CALL OF THE SENATE

Senator Betzold imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by Senator Gary W. Kubly.

The members of the Senate gave the pledge of allegiance to the flag of the United States of America.

The roll was called, and the following Senators answered to their names:

Anderson	Gaither	Langseth	Nienow	Saxhaug
Bachmann	Hann	Larson	Olson	Scheid
Belanger	Higgins	LeClair	Ortman	Senjem
Berglin	Hottinger	Limmer	Ourada	Skoe
Betzold	Johnson, D.E.	Lourey	Pappas	Skoglund
Chaudhary	Johnson, D.J.	Marko	Pariseau	Solon
Cohen	Jungbauer	Marty	Pogemiller	Sparks
Day	Kelley	McGinn	Ranum	Stumpf
Dibble	Kierlin	Metzen	Reiter	Tomassoni
Dille	Kleis	Michel	Rest	Vickerman
Fischbach	Knutson	Moua	Robling	Wergin
Foley	Koering	Murphy	Rosen	Wiger
Frederickson	Kubly	Neuville	Ruud	

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

## EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communication was received.

February 26, 2004

The Honorable James P. Metzen  
President of the Senate

Dear President Metzen:

On behalf of the people of Minnesota, I am honored to inform you that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. No. 1015.

Sincerely,  
Tim Pawlenty, Governor

**REPORTS OF COMMITTEES**

Senator Johnson, D.E. moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

**Senator Anderson from the Committee on Jobs, Energy and Community Development, to which was referred**

**S.F. No. 1609:** A bill for an act relating to employment; prohibiting employers from asking applicants about National Guard or reserve status; proposing coding for new law in Minnesota Statutes, chapter 181.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 17, insert:

"The adjutant general and the commissioner of veterans affairs shall use reasonable means to publicize this section.

This section does not apply to public employees asking a question or requesting a statement for the purpose of determining whether a veterans preference applies."

And when so amended the bill do pass and be re-referred to the Committee on Agriculture, Veterans and Gaming. Amendments adopted. Report adopted.

**Senator Anderson from the Committee on Jobs, Energy and Community Development, to which was referred**

**S.F. No. 2044:** A bill for an act relating to labor relations; prohibiting use of state funds to encourage or discourage union organizing; providing for a civil penalty; proposing coding for new law in Minnesota Statutes, chapter 179.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 9, delete "Notwithstanding any"

Page 1, line 10, delete "other provision of law,"

Page 1, line 25, delete "such"

Page 2, line 1, after "activities" insert "described in subdivision 1, clauses (1) to (3),"

Page 2, lines 2 and 4, delete "such" and insert "those"

Page 2, lines 5, 6, 7, and 8, delete "such" and insert "the"

Page 2, line 12, delete "the" and insert "an" and delete "any such" and insert "the"

Page 2, delete subdivision 4

And when so amended the bill do pass. Amendments adopted. Report adopted.

**Senator Anderson from the Committee on Jobs, Energy and Community Development, to which was referred**

**S.F. No. 1946:** A bill for an act relating to employment; regulating vocational rehabilitation and supported employment; expanding what activities qualify as supported employment; amending Minnesota Statutes 2002, section 268A.01, subdivision 13.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. [PILOT PROJECT.]

The commissioner of employment and economic development shall conduct an extended employment pilot project to study an industrial model for employment for individuals with severe disabilities in Thief River Falls, Minnesota.

Employment is to be provided by Custom Products, a division of Occupational Development Center. During the pilot, employment outcomes for individuals with severe disabilities will be assumed to be community employment as defined under Minnesota Rules, part 3300.2005. The pilot project will begin July 1, 2004, and end June 30, 2005. Evaluation of the pilot project must be completed by October 1, 2005, by the commissioner.

The pilot project must maintain a minimum ratio of 60 percent of nondisabled persons, must pay minimum wages or better to all employees with severe disabilities, and must provide them a level of benefits equal to those provided to nondisabled employees. All work teams must be integrated.

The pilot project must provide the extended employment program with useful information to clarify the distinction between center-based and community employment subprograms. The commissioner shall consider the findings of the pilot project in adopting rules.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to employment; directing the commissioner of employment and economic development to conduct an extended employment pilot project."

And when so amended the bill do pass. Amendments adopted. Report adopted.

**Senator Anderson from the Committee on Jobs, Energy and Community Development, to which was referred**

**S.F. No. 2182:** A bill for an act relating to utilities; repealing sunset of provisions relating to performance-based regulation plans; repealing requirement for a report on these plans; making technical correction; amending Minnesota Statutes 2002, section 216B.16, subdivision 16; Laws 1997, chapter 25, section 3; repealing Minnesota Statutes 2002, section 216B.1675, subdivision 13.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2002, section 216B.1675, subdivision 1, is amended to read:

Subdivision 1. [PURPOSE.] Performance-based regulation plans for public utilities offering natural gas services are authorized in order to provide quality service at rates that can reasonably and reliably be expected to be materially lower than rates would be under current regulation and to reduce the cost of regulation. Performance-based regulation plans are intended to provide the utility with increased earnings for efficient performance and decreased earnings for inefficient performance.

Sec. 2. Minnesota Statutes 2002, section 216B.1675, subdivision 3, is amended to read:

Subd. 3. [PLAN CONTENTS.] The commission may approve a performance regulation plan for natural gas distribution services upon finding that the plan:

(1) contains a benchmark or measure of gas distribution costs that is a reasonable and reliable predictor of the utility's rates for gas distribution service under cost-of-service regulation;

(2) ensures that rates for gas distribution services to customers under the plan will be materially lower than the rates would be under cost-of-service regulation as predicted by the benchmark in clause (1);

(3) links the utility's earnings to its performance by permitting higher utility earnings than under cost-of-service regulation only when the utility's performance is more efficient than the benchmark;

(4) can be reasonably and reliably expected to offer lower administrative costs than would otherwise be experienced under cost-of-service regulation;

(5) contains a reasonable limit on utility earnings;

(6) ~~is compatible with the development of increased competition in the natural gas industry;~~

(7) has adequate provisions to prevent the degradation of service quality; and

(8) (7) provides for gathering of relevant data and evaluation of the plan's effect on rates, service quality, utility earnings, competition in providing natural gas, and regulatory costs.

Sec. 3. Minnesota Statutes 2002, section 216B.1675, subdivision 13, is amended to read:

Subd. 13. [GENERAL EVALUATION.] The commission shall evaluate the effectiveness of all plans approved under this section and submit its findings to the legislature by January 1, ~~2005~~ 2012.

Sec. 4. Laws 1997, chapter 25, section 3, is amended to read:

Sec. 3. [EFFECTIVE DATE; EXPIRATION.]

Sections 1 and 2 are effective on August 1, 1997, ~~and expire January 1, 2006.~~

Delete the title and insert:

"A bill for an act relating to utilities; repealing sunset of performance-based gas utility regulation; regulating performance-based regulation plans; amending Minnesota Statutes 2002, section 216B.1675, subdivisions 1, 3, 13; Laws 1997, chapter 25, section 3."

And when so amended the bill do pass and be placed on the Consent Calendar. Amendments adopted. Report adopted.

**Senator Vickerman from the Committee on Agriculture, Veterans and Gaming, to which was referred**

**S.F. No. 1941:** A bill for an act relating to economic development; providing for a grant program to promote modernization of dairy equipment; proposing coding for new law in Minnesota Statutes, chapter 116J.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 6, insert:

"Section 1. [41A.10] [MILK PRODUCTION DEVELOPMENT PROGRAM.]

Subdivision 1. [DEFINITIONS.] (a) For the purposes of this section, the terms defined in this subdivision have the meanings given them.

(b) "Beginning milk producer" means a natural person who has:

(1) not owned more than 20 lactating dairy cattle in the five years prior to June 30, 2005, or has rebuilt milk production capacity after June 30, 2005, that was destroyed by a barn fire; and

(2) purchased dairy cows after June 30, 2005.

(c) "Commissioner" means the commissioner of agriculture.

Subd. 2. [MILK PRODUCER PAYMENTS.] (a) The commissioner shall make cash payments to a beginning milk producer located in the state. The amount of the payment for each beginning milk producer's annual production is \$1 per hundred pounds of milk for the first one million pounds produced each year on the dairy farm for the first five years from the start of milk production.

(b) The total payments to a dairy producer under paragraph (a) in any fiscal year may not exceed \$10,000.

(c) By the last day of October, January, April, and July, each dairy producer shall file a claim for payment for milk production during the preceding three calendar months. A producer that files a claim under this subdivision shall include a statement of the producer's total milk production in Minnesota during the quarter covered by the claim. The volume of milk production on the claim must be certified by a farm management program instructor approved by the commissioner.

(d) Payments shall be made November 15, February 15, May 15, and August 15.

Subd. 3. [FARM MANAGEMENT PROGRAM.] As a condition of receiving the payments under subdivision 2, a beginning milk producer must agree to participate in a farm management program approved by the commissioner."

Page 2, line 2, delete "and"

Page 2, line 3, delete the period and insert "; and"

(13) capital investment in pasture."

Renumber the sections in sequence

Delete the title and insert:

"A bill for an act relating to agriculture; providing milk producer payments to beginning milk producers; establishing a dairy modernization grant program; proposing coding for new law in Minnesota Statutes, chapters 41A; 116J."

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

**Senator Vickerman from the Committee on Agriculture, Veterans and Gaming, to which was referred**

**S.F. No. 1472:** A bill for an act relating to taxation; providing a tax credit to Minnesota dairy operators that achieve superior herd health, high herd average production, and high quality milk; proposing coding for new law in Minnesota Statutes, chapter 290.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 7, delete "2003" and insert "2004"

Page 2, line 8, delete "2002" and insert "2003"

And when so amended the bill do pass and be re-referred to the Committee on Taxes. Amendments adopted. Report adopted.

**Senator Vickerman from the Committee on Agriculture, Veterans and Gaming, to which was referred**

**S.F. No. 1473:** A bill for an act relating to agriculture; providing no-interest loans for dairy farmers to purchase additional mature dairy cows; proposing coding for new law in Minnesota Statutes, chapter 41B.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 10, delete "2003" and insert "2004"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

**Senator Vickerman from the Committee on Agriculture, Veterans and Gaming, to which was referred**

**S.F. No. 1939:** A bill for an act relating to agriculture; appropriating money for the dairy development and profitability enhancement program.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 13, delete "in addition" and insert "added"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

**Senator Scheid from the Committee on Commerce, to which was re-referred**

**S.F. No. 521:** A bill for an act relating to commerce; regulating sales of American flags and related items; proposing coding for new law in Minnesota Statutes, chapter 325E.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, delete section 2

And when so amended the bill do pass. Amendments adopted. Report adopted.

**Senator Scheid from the Committee on Commerce, to which was referred**

**S.F. No. 2137:** A bill for an act relating to public cemeteries; increasing the per acre ceiling amount for the perpetual care fund from \$25,000 to \$35,000; amending Minnesota Statutes 2002, section 306.41.

Reports the same back with the recommendation that the bill do pass and be placed on the Consent Calendar. Report adopted.

**Senator Scheid from the Committee on Commerce, to which was referred**

**S.F. No. 2138:** A bill for an act relating to insurance; requiring that certain information be provided to persons whose continuation health coverage is about to expire; amending Minnesota Statutes 2002, section 62A.65, subdivision 5.

Reports the same back with the recommendation that the bill be amended as follows:

Page 3, line 3, after "from" insert "(i) other private sources of health coverage, or (ii)"

And when so amended the bill do pass. Amendments adopted. Report adopted.

**Senator Scheid from the Committee on Commerce, to which was referred**

**S.F. No. 1928:** A bill for an act relating to commerce; requiring the commissioner of commerce to approve changes in the writing carrier for MCHA; requiring nonmetropolitan board

representation for MCHA; amending Minnesota Statutes 2002, sections 62E.09; 62E.10, subdivision 2; Minnesota Statutes 2003 Supplement, section 62E.13, subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Pages 1 and 2, delete section 1

Page 2, line 18, strike "nine" and insert "11"

Page 2, line 20, strike "four" and insert "six"

Page 2, line 22, before the period, insert "and two of whom must be representatives of employers whose accident and health insurance premiums are part of the association's assessment base" and delete everything after the period

Page 2, line 23, delete everything before "two" and insert "At least"

Page 2, line 25, strike "may include licensed insurance agents" and insert "must include at least one licensed insurance agent"

Renumber the sections in sequence

Amend the title as follows:

Page 1, delete lines 2 to 5 and insert "relating to commerce; making changes in the board membership of MCHA; requiring the association to post notice of the reasons for a change in writing carriers; amending Minnesota Statutes 2002, section"

Page 1, line 6, delete "62E.09;"

And when so amended the bill do pass and be re-referred to the Committee on State and Local Government Operations. Amendments adopted. Report adopted.

**Senator Higgins from the Committee on State and Local Government Operations, to which was referred**

**S.F. No. 1697:** A bill for an act relating to local government; increasing the threshold amount for annual audits in certain towns and statutory cities; amending Minnesota Statutes 2002, sections 412.02, subdivision 3; 412.591, subdivision 2; Minnesota Statutes 2003 Supplement, section 367.36, subdivision 1.

Reports the same back with the recommendation that the bill do pass and be placed on the Consent Calendar. Report adopted.

**Senator Higgins from the Committee on State and Local Government Operations, to which was referred**

**S.F. No. 1799:** A bill for an act relating to local government; clarifying conflict of interest for watershed district officers; amending Minnesota Statutes 2002, section 471.88, subdivision 1.

Reports the same back with the recommendation that the bill be amended as follows: follows:

Page 1, line 10, after "district," insert "soil and water conservation district,"

Amend the title as follows:

Page 1, line 3, after "district" insert "and soil and water conservation district"

And when so amended the bill do pass and be placed on the Consent Calendar. Amendments adopted. Report adopted.

**Senator Higgins from the Committee on State and Local Government Operations, to which was referred**

**S.F. No. 1859:** A bill for an act relating to state government; authorizing agency heads to contract with national purchasing organizations for the purchase of goods; amending Minnesota Statutes 2002, section 16C.03, subdivision 3, by adding a subdivision.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 23, after the period, insert "The acquisition of goods under this subdivision must comply with the same requirements imposed on the commissioner under this chapter and section 363A.36."

And when so amended the bill do pass. Amendments adopted. Report adopted.

**Senator Higgins from the Committee on State and Local Government Operations, to which was referred**

**S.F. No. 1972:** A bill for an act relating to public safety; increasing the 911 emergency telephone service fee to eliminate a deficit and to help defray the cost of operating public safety answering points; expanding the jurisdiction and membership of the Metropolitan Radio Board; authorizing the sale of revenue bonds by the Metropolitan Council for phases 2 and 3 of the 800 MHz public safety radio communication system; repealing the sunset of the Metropolitan Radio Board; appropriating money; amending Minnesota Statutes 2003 Supplement, sections 403.11, subdivision 1; 403.113, subdivision 1; 403.21, subdivision 3; 403.22, subdivisions 1, 2; 403.27, subdivisions 1, 3; repealing Laws 1995, chapter 195, article 1, section 18, as amended.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Jobs, Energy and Community Development. Report adopted.

**Senator Higgins from the Committee on State and Local Government Operations, to which was referred**

**S.F. No. 1973:** A bill for an act relating to metropolitan government; changing the composition of the Metropolitan Radio Board; providing for requests to the Metropolitan Council for authorization and issuance of revenue bonds for certain purposes; amending Metropolitan Council bond authorization; repealing the sunset of the Metropolitan Radio Board; amending Minnesota Statutes 2003 Supplement, section 403.21, subdivision 3; 403.22, subdivisions 1, 2; 403.27, subdivisions 1, 3; repealing Laws 1995, chapter 195, article 1, section 18, as amended.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Jobs, Energy and Community Development. Report adopted.

**Senator Vickerman from the Committee on Agriculture, Veterans and Gaming, to which was referred**

**S.F. No. 1942:** A bill for an act relating to agriculture; extending the interest-free status of manure digester loans; amending Minnesota Statutes 2002, section 41B.049, subdivision 4.

Reports the same back with the recommendation that the bill be amended as follows:

Pages 1 and 2, delete section 1 and insert:

"Section 1. Minnesota Statutes 2002, section 41B.049, is amended to read:

41B.049 [METHANE DIGESTER AND ON-FARM PROCESSING LOAN PROGRAM.]

Subdivision 1. [ESTABLISHMENT.] The authority shall establish and implement a methane digester and on-farm processing loan program to help finance the purchase of necessary

equipment and the construction of a system that will utilize manure to produce electricity or on-farm processing of agricultural products.

Subd. 2. [REVOLVING FUND.] There is established in the state treasury a methane digester and on-farm processing revolving fund, which is eligible to receive appropriations and the transfer of funds from other services. All repayments of financial assistance granted under subdivision 1, including principal and interest, must be deposited into this fund. Interest earned on money in the fund accrues to the fund, and money in the fund is appropriated to the commissioner of agriculture for purposes of the ~~manure~~ methane digester and on-farm processing loan program, including costs incurred by the authority to establish and administer the program.

Subd. 3. [ELIGIBILITY.] (a) Notwithstanding section 41B.03, to be eligible for a loan under this section a borrower must:

- (1) locate the projects and utilize the equipment and practices on land located in Minnesota;
- (2) provide evidence of financial stability;
- (3) demonstrate an ability to repay the loan; and
- (4) provide evidence that the practices implemented and capital assets purchased will be properly managed and maintained.

(b) In addition to the requirements in paragraph (a), equipment and practices for an on-farm processing loan must be located on the farm of the applicant.

Subd. 4. [LOANS.] (a) The authority may make a direct loan or participate in a loan with an eligible lender to a farmer who is eligible under subdivision 3. ~~The interest rates and Repayment terms of the authority's participation interest may differ from the interest rates and repayment terms of the lender's retained portion of the loan. The authority's interest rate for a direct loan or a loan participation must not exceed four percent.~~ Loans made under this section before ~~July 1, 2003~~, must be no-interest loans.

(b) Application for a direct loan or a loan participation must be made on forms prescribed by the authority.

(c) Standards for loan amortization shall be set by the Rural Finance Authority not to exceed ten years.

(d) Security for the loans must be a personal note executed by the borrower and whatever other security is required by the eligible lender or the authority.

(e) No loan proceeds may be used to refinance a debt existing prior to application.

(f) The authority may impose a reasonable nonrefundable application fee for each application for a direct loan or a loan participation. The authority may review the application fees annually and make adjustments as necessary. The application fee is initially set at \$100 for a loan under subdivision 1. The fees received by the authority must be deposited in the revolving fund created in subdivision 2.

Subd. 5. [LOAN CRITERIA.] (a) To be eligible, a borrower must be a resident of Minnesota or an entity that is not prohibited from owning agricultural land under section 500.24.

(b) State participation in a participation loan is limited to 45 percent of the principal amount of the loan. A direct loan or loan participation may not exceed \$250,000.

(c) Loans under ~~this program~~ subdivision 1 may be used as a match for federal loans or grants.

(d) A borrower who has previously received a loan under subdivision 1 is prohibited from receiving another methane digester or on-farm processing loan under subdivision 1."

Amend the title as follows:

Page 1, line 3, delete "manure" and insert "methane" and before the semicolon, insert "and expanding the purposes for the loans"

Page 1, line 4, delete ", subdivision 4"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

**Senator Lourey from the Committee on Health and Family Security, to which was referred**

**S.F. No. 1699:** A bill for an act relating to human services; modifying medical assistance estate recovery provisions; eliminating recoveries for alternative care costs; removing liens against life estates and joint tenant interests; appropriating money; amending Minnesota Statutes 2003 Supplement, sections 256B.15, subdivisions 1, 1a, 2, 3, 4; 514.981, subdivision 6; 524.3-805; repealing Minnesota Statutes 2003 Supplement, sections 256B.15, subdivisions 1c, 1d, 1e, 1f, 1g, 1h, 1i, 1j, 1k; 514.991; 514.992; 514.993; 514.994; 514.995.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

**Senator Lourey from the Committee on Health and Family Security, to which was referred**

**S.F. No. 1991:** A bill for an act relating to the operation of state government; modifying parental contributions; modifying medical assistance estate recovery provisions; eliminating recoveries for alternative care costs; removing liens against life estates and joint tenant interests; limiting income tax deductions; appropriating money; amending Minnesota Statutes 2002, sections 290.01, subdivision 6b; 290.17, subdivisions 2, 4; Minnesota Statutes 2003 Supplement, sections 252.27, subdivision 2a; 256B.15, subdivisions 1, 1a, 2; 256J.21, subdivision 2; 256J.95, subdivision 9; 290.01, subdivision 19d; 514.981, subdivision 6; 524.3-805; repealing Minnesota Statutes 2003 Supplement, sections 256B.15, subdivisions 1c, 1d, 1e, 1f, 1g, 1h, 1i, 1j, 1k; 256J.37, subdivisions 3a, 3b; 514.991; 514.992; 514.993; 514.994; 514.995.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 11, reinstate the stricken "or"

Page 2, line 12, reinstate the stricken "equal to" and delete "600" and insert "575"

Page 2, line 18, delete "600" and insert "575"

Page 2, line 19, reinstate the stricken "(3) if the adjusted gross income is greater than" and after the stricken "375" insert "575"

Page 2, lines 20 to 22, reinstate the stricken language

Page 2, line 23, reinstate the stricken "(4)" and delete "(3)"

Page 2, line 24, reinstate the stricken "675" and delete "600"

Page 2, line 26, reinstate the stricken language

Page 2, lines 27 to 32, delete the new language

Page 2, line 33, reinstate the stricken "(5)" and delete "(4)"

Page 3, line 18, after "form" insert ", except, effective retroactive from July 1, 2003, taxable capital gains to the extent the funds have been used to purchase a home and funds from early withdrawn qualified retirement accounts under the Internal Revenue Code shall not be counted as income"

Page 8, after line 33, insert:

"Sec. 5. Minnesota Statutes 2003 Supplement, section 256B.15, subdivision 3, is amended to read:

Subd. 3. [~~SURVIVING SPOUSE, MINOR, BLIND, OR DISABLED CHILDREN.~~] If a decedent ~~is survived by a spouse, or who~~ was single or ~~who was~~ the surviving spouse of a married couple ~~and is survived by a child who is~~ under age 21 or ~~blind or permanently and totally disabled according to the supplemental security income program criteria, a no~~ claim shall be filed against the estate ~~according to this section.~~

**[EFFECTIVE DATE.]** This section is effective retroactive from July 1, 2003.

Sec. 6. Minnesota Statutes 2003 Supplement, section 256B.15, subdivision 4, is amended to read:

Subd. 4. [OTHER SURVIVORS.] If the decedent who was single or the surviving spouse of a married couple is survived by one of the following persons, a claim exists against the estate in an amount not to exceed the value of the nonhomestead property included in the estate ~~and the personal representative shall make, execute, and deliver to the county agency a lien against the homestead property in the estate for any unpaid balance of the claim to the claimant as provided under this section:~~

(a) a sibling who resided in the decedent medical assistance recipient's home at least one year before the decedent's institutionalization and continuously since the date of institutionalization; or

(b) a son or daughter or a grandchild who resided in the decedent medical assistance recipient's home for at least two years immediately before the parent's or grandparent's institutionalization and continuously since the date of institutionalization, and who establishes by a preponderance of the evidence having provided care to the parent or grandparent who received medical assistance, that the care was provided before institutionalization, and that the care permitted the parent or grandparent to reside at home rather than in an institution.

**[EFFECTIVE DATE.]** This section is effective retroactive from July 1, 2003."

Page 10, line 33, before "adoption" insert "state" and before the semicolon, insert ", and up to an equal amount of county adoption assistance payments"

Page 12, after line 32, insert:

"Sec. 8. Minnesota Statutes 2003 Supplement, section 256J.42, subdivision 5, is amended to read:

Subd. 5. [EXEMPTION FOR CERTAIN FAMILIES.] (a) Any cash assistance received by an assistance unit does not count toward the 60-month limit on assistance during a month in which the caregiver is age 60 or older, including months during which the caregiver was exempt under section 256J.56, paragraph (a), clause (1).

(b) From July 1, 1997, until the date MFIP is operative in the caregiver's county of financial responsibility, any cash assistance received by a caregiver who is complying with Minnesota Statutes 1996, section 256.73, subdivision 5a, and Minnesota Statutes 1998, section 256.736, if applicable, does not count toward the 60-month limit on assistance. Thereafter, any cash assistance received by a minor caregiver who is complying with the requirements of sections 256J.14 and 256J.54, if applicable, does not count towards the 60-month limit on assistance.

(c) Any diversionary assistance or emergency assistance received prior to July 1, 2003, does not count toward the 60-month limit.

(d) Any cash assistance received by an 18- or 19-year-old caregiver who is complying with an employment plan that includes an education option under section 256J.54 does not count toward the 60-month limit.

(e) Payments provided to meet short-term emergency needs under section 256J.626 and diversionary work program benefits provided under section 256J.95 do not count toward the 60-month time limit.

(f) Any monthly cash assistance received by an assistance unit while on MFIP that is repaid or reimbursed for reasons other than fraud does not count toward the 60-month limit.

Sec. 9. Minnesota Statutes 2003 Supplement, section 256J.46, subdivision 1, is amended to read:

Subdivision 1. [PARTICIPANTS NOT COMPLYING WITH PROGRAM REQUIREMENTS.] (a) A participant who fails without good cause under section 256J.57 to comply with the requirements of this chapter, and who is not subject to a sanction under subdivision 2, shall be subject to a sanction as provided in this subdivision. Prior to the imposition of a sanction, a county agency shall provide a notice of intent to sanction under section 256J.57, subdivision 2, and, when applicable, a notice of adverse action as provided in section 256J.31.

(b) A sanction under this subdivision becomes effective the month following the month in which a required notice is given. A sanction must not be imposed when a participant comes into compliance with the requirements for orientation under section 256J.45 prior to the effective date of the sanction. A sanction must not be imposed when a participant comes into compliance with the requirements for employment and training services under sections 256J.515 to 256J.57 ten days prior to the effective date of the sanction. For purposes of this subdivision, each month that a participant fails to comply with a requirement of this chapter shall be considered a separate occurrence of noncompliance. If both participants in a two-parent assistance unit are out of compliance at the same time, it is considered one occurrence of noncompliance.

(c) Sanctions for noncompliance shall be imposed as follows:

(1) For the first occurrence of noncompliance by a participant in an assistance unit, the assistance unit's grant shall be reduced by ten percent of the MFIP standard of need for an assistance unit of the same size with the residual grant paid to the participant. The reduction in the grant amount must be in effect for a minimum of one month and shall be removed in the month following the month that the participant returns to compliance.

(2) For a second, third, fourth, fifth, or sixth occurrence of noncompliance by a participant in an assistance unit, the assistance unit's shelter costs shall be vendor paid up to the amount of the cash portion of the MFIP grant for which the assistance unit is eligible. At county option, the assistance unit's utilities may also be vendor paid up to the amount of the cash portion of the MFIP grant remaining after vendor payment of the assistance unit's shelter costs. The residual amount of the grant after vendor payment, if any, must be reduced by an amount equal to 30 percent of the MFIP standard of need for an assistance unit of the same size before the residual grant is paid to the assistance unit. The reduction in the grant amount must be in effect for a minimum of one month and shall be removed in the month following the month that the participant in a one-parent assistance unit returns to compliance. In a two-parent assistance unit, the grant reduction must be in effect for a minimum of one month and shall be removed in the month following the month both participants return to compliance. The vendor payment of shelter costs and, if applicable, utilities shall be removed six months after the month in which the participant or participants return to compliance. If an assistance unit is sanctioned under this clause, the participant's case file must be reviewed to determine if the employment plan is still appropriate.

(d) For a seventh occurrence of noncompliance by a participant in an assistance unit, or when the participants in a two-parent assistance unit have a total of seven occurrences of noncompliance, the county agency shall close the MFIP assistance unit's financial assistance case, both the cash and food portions, and redetermine the family's eligibility for food support. The MFIP case must remain closed for a minimum of one full month. ~~Closure under this paragraph does not make a participant automatically ineligible for food support, if otherwise eligible.~~ Before the case is closed, the county agency must review the participant's case to determine if the employment plan is still appropriate and attempt to meet with the participant face-to-face. The participant may bring an advocate to the face-to-face meeting. If a face-to-face meeting is not

conducted, the county agency must send the participant a written notice that includes the information required under clause (1).

(1) During the face-to-face meeting, the county agency must:

(i) determine whether the continued noncompliance can be explained and mitigated by providing a needed preemployment activity, as defined in section 256J.49, subdivision 13, clause (9);

(ii) determine whether the participant qualifies for a good cause exception under section 256J.57, or if the sanction is for noncooperation with child support requirements, determine if the participant qualifies for a good cause exemption under section 256.741, subdivision 10;

(iii) determine whether the participant qualifies for an exemption under section 256J.56 or the work activities in the employment plan are appropriate based on the criteria in section 256J.521, subdivision 2 or 3;

(iv) determine whether the participant qualifies for the family violence waiver;

(v) inform the participant of the participant's sanction status and explain the consequences of continuing noncompliance;

(vi) identify other resources that may be available to the participant to meet the needs of the family; and

(vii) inform the participant of the right to appeal under section 256J.40.

(2) If the lack of an identified activity or service can explain the noncompliance, the county must work with the participant to provide the identified activity.

(3) The grant must be restored to the full amount for which the assistance unit is eligible retroactively to the first day of the month in which the participant was found to lack preemployment activities or to qualify for an exemption under section 256J.56, a family violence waiver, or for a good cause exemption under section 256.741, subdivision 10, or 256J.57.

(e) For the purpose of applying sanctions under this section, only occurrences of noncompliance that occur after July 1, 2003, shall be considered. If the participant is in 30 percent sanction in the month this section takes effect, that month counts as the first occurrence for purposes of applying the sanctions under this section, but the sanction shall remain at 30 percent for that month.

(f) An assistance unit whose case is closed under paragraph (d) or (g), may reapply for MFIP and shall be eligible if the participant complies with MFIP program requirements and demonstrates compliance for up to one month. No assistance shall be paid during this period.

(g) An assistance unit whose case has been closed for noncompliance, that reapplies under paragraph (f), is subject to sanction under paragraph (c), clause (2), for a first occurrence of noncompliance. Any subsequent occurrence of noncompliance shall result in case closure under paragraph (d).

Sec. 10. Minnesota Statutes 2002, section 256J.46, is amended by adding a subdivision to read:

Subd. 3. [SIX MONTHS OF COMPLIANCE.] A participant who has had one or more sanctions imposed under this section must remain in compliance with the provisions of this chapter for six months in order for a subsequent occurrence of noncompliance to be considered a first occurrence of noncompliance.

Sec. 11. Minnesota Statutes 2003 Supplement, section 256J.521, subdivision 1, is amended to read:

Subdivision 1. [ASSESSMENTS.] (a) For purposes of MFIP employment services, assessment is a continuing process of gathering information related to employability for the purpose of

identifying both participant's strengths and strategies for coping with issues that interfere with employment. The job counselor must use information from the assessment process to develop and update the employment plan under subdivision 2 or 3, as appropriate, and to determine whether the participant qualifies for a family violence waiver and an employment plan under subdivision 3.

(b) The scope of assessment must cover at least the following areas:

(1) basic information about the participant's ability to obtain and retain employment, including: a review of the participant's education level; interests, skills, and abilities; prior employment or work experience; transferable work skills; child care and transportation needs;

(2) identification of personal and family circumstances that impact the participant's ability to obtain and retain employment, including: any special needs of the children, the level of English proficiency, family violence issues, and any involvement with social services or the legal system;

(3) the results of a mental and chemical health screening tool designed by the commissioner and results of the brief screening tool for special learning needs. Screening tools for mental and chemical health and special learning needs must be approved by the commissioner and may only be administered by job counselors or county staff trained in using such screening tools. The commissioner shall work with county agencies to develop protocols for referrals and follow-up actions after screens are administered to participants, including guidance on how employment plans may be modified based upon outcomes of certain screens. Participants must be told of the purpose of the screens and how the information will be used to assist the participant in identifying and overcoming barriers to employment. Screening for mental and chemical health and special learning needs must be completed by participants who are unable to find suitable employment after six weeks of job search under subdivision 2, paragraph (b), and participants who are determined to have barriers to employment under subdivision 2, paragraph (d). Failure to complete the screens will result in sanction under section 256J.46; and

(4) a comprehensive review of participation and progress for participants who have received MFIP assistance and have not worked in unsubsidized employment during the past 12 months. The purpose of the review is to determine the need for additional services and supports, including placement in subsidized employment or unpaid work experience under section 256J.49, subdivision 13.

(c) Information gathered during a caregiver's participation in the diversionary work program under section 256J.95 must be incorporated into the assessment process.

(d) The job counselor may require the participant to complete a professional chemical use assessment to be performed according to the rules adopted under section 254A.03, subdivision 3, including provisions in the administrative rules which recognize the cultural background of the participant, or a professional psychological assessment as a component of the assessment process, when the job counselor has a reasonable belief, based on objective evidence, that a participant's ability to obtain and retain suitable employment is impaired by a medical condition. The job counselor may assist the participant with arranging services, including child care assistance and transportation, necessary to meet needs identified by the assessment. Data gathered as part of a professional assessment must be classified and disclosed according to the provisions in section 13.46.

Sec. 12. Minnesota Statutes 2003 Supplement, section 256J.521, subdivision 2, is amended to read:

Subd. 2. [EMPLOYMENT PLAN; CONTENTS.] (a) Based on the assessment under subdivision 1, the job counselor and the participant must develop an employment plan that includes participation in activities and hours that meet the requirements of section 256J.55, subdivision 1. The purpose of the employment plan is to identify for each participant the most direct path to unsubsidized employment and any subsequent steps that support long-term economic stability. The employment plan should be developed using the highest level of activity appropriate for the participant. Activities must be chosen from clauses (1) to (6), which are listed in order of preference. Notwithstanding this order of preference for activities, priority must be

given for activities related to a family violence waiver when developing the employment plan. The employment plan must also list the specific steps the participant will take to obtain employment, including steps necessary for the participant to progress from one level of activity to another, and a timetable for completion of each step. Levels of activity include:

- (1) unsubsidized employment;
- (2) job search;
- (3) subsidized employment or unpaid work experience;
- (4) unsubsidized employment and job readiness education or job skills training;
- (5) unsubsidized employment or unpaid work experience and activities related to a family violence waiver or preemployment needs; and
- (6) activities related to a family violence waiver or preemployment needs.

(b) Participants who are determined to possess sufficient skills such that the participant is likely to succeed in obtaining unsubsidized employment must job search at least 30 hours per week for up to six weeks and accept any offer of suitable employment. The remaining hours necessary to meet the requirements of section 256J.55, subdivision 1, may be met through participation in other work activities under section 256J.49, subdivision 13. The participant's employment plan must specify, at a minimum: (1) whether the job search is supervised or unsupervised; (2) support services that will be provided; and (3) how frequently the participant must report to the job counselor. Participants who are unable to find suitable employment after six weeks must meet with the job counselor to determine whether other activities in paragraph (a) should be incorporated into the employment plan. Job search activities which are continued after six weeks must be structured and supervised.

(c) Beginning July 1, 2004, activities and hourly requirements in the employment plan may be adjusted as necessary to accommodate the personal and family circumstances of participants identified under section 256J.561, subdivision 2, paragraph (d). Participants who no longer meet the provisions of section 256J.561, subdivision 2, paragraph (d), must meet with the job counselor within ten days of the determination to revise the employment plan.

(d) Participants who are determined to have barriers to obtaining or retaining employment that will not be overcome during six weeks of job search under paragraph (b) must work with the job counselor to develop an employment plan that addresses those barriers by incorporating appropriate activities from paragraph (a), clauses (1) to (6). The employment plan must include enough hours to meet the participation requirements in section 256J.55, subdivision 1, unless a compelling reason to require fewer hours is noted in the participant's file.

(e) The job counselor and the participant must sign the employment plan to indicate agreement on the contents. Failure to develop or comply with activities in the plan, or voluntarily quitting suitable employment without good cause, will result in the imposition of a sanction under section 256J.46.

(f) Employment plans must be reviewed at least every three months to determine whether activities and hourly requirements should be revised.

Sec. 13. Minnesota Statutes 2003 Supplement, section 256J.53, subdivision 2, is amended to read:

Subd. 2. [APPROVAL OF POSTSECONDARY EDUCATION OR TRAINING.] (a) In order for a postsecondary education or training program to be an approved activity in an employment plan, the participant must be working in unsubsidized employment or unpaid work experience at least 20 12 hours per week. A postsecondary education or training program must be an approved activity if the participant provides documentation that the hourly unsubsidized employment or unpaid work experience requirement will be met within 30 days of the start of the postsecondary education or training program.

(b) Participants seeking approval of a postsecondary education or training plan must provide documentation that:

- (1) the employment goal can only be met with the additional education or training;
- (2) there are suitable employment opportunities that require the specific education or training in the area in which the participant resides or is willing to reside;
- (3) the education or training will result in significantly higher wages for the participant than the participant could earn without the education or training;
- (4) the participant can meet the requirements for admission into the program; and
- (5) there is a reasonable expectation that the participant will complete the training program based on such factors as the participant's MFIP assessment, previous education, training, and work history; current motivation; and changes in previous circumstances.

(c) The hourly unsubsidized employment or unpaid work experience requirement may be reduced does not apply for intensive education or training programs lasting 12 24 weeks or less when full-time attendance is required and for participants enrolled in training programs intended to alleviate worker shortages in the health care and human services industries. In addition, the hourly requirement must be waived or modified as a reasonable accommodation for a participant with a disability or a participant caring for a person with a disability.

(d) Participants with an approved employment plan in place on July 1, 2003, which includes more than 12 months of postsecondary education or training shall be allowed to complete that plan provided that hourly requirements in section 256J.55, subdivision 1, and conditions specified in paragraph (b), and subdivisions 3 and 5 are met.

(e) Participants with an approved employment plan in place on July 1, 2003, which includes more than 12 months of postsecondary education or training, whose case is subsequently closed for three months or less for reasons other than noncompliance with program requirements and who return to MFIP, shall be allowed to complete that plan, provided that hourly requirements in section 256J.55, subdivision 1, and conditions specified in paragraph (b) and subdivisions 3 and 5 are met.

Page 17, line 13, before "Minnesota" insert "(a)"

Page 17, lines 14 and 15, delete "256J.37, subdivisions 3a and 3b;"

Page 17, after line 16, insert:

"(b) Minnesota Statutes 2003 Supplement, section 256J.37, subdivisions 3a and 3b, are repealed effective July 1, 2004."

Page 17, line 18, delete "5, and 6" and insert "7, and 14"

Page 17, line 19, delete "7, and 8" and insert "15, and 16"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after the semicolon insert "modifying several MFIP provisions;"

Page 1, line 8, after "sections" insert "256J.46, by adding a subdivision;"

Page 1, line 11, after "2" insert ", 3, 4"

Page 1, line 12, after "2;" insert "256J.42, subdivision 5; 256J.46, subdivision 1; 256J.521, subdivisions 1, 2; 256J.53, subdivision 2;"

And when so amended the bill do pass and be re-referred to the Committee on Taxes. Amendments adopted. Report adopted.

**Senator Lourey from the Committee on Health and Family Security, to which was referred**

**S.F. No. 1760:** A bill for an act relating to health care; modifying premium rate restrictions; modifying cost containment provisions; providing for an electronic medical record system; modifying certain loan forgiveness programs; modifying medical assistance, general assistance medical care and MinnesotaCare programs; authorizing the sale of bonds; requiring reports; appropriating money; amending Minnesota Statutes 2002, sections 62A.65, subdivision 3; 62J.04, by adding a subdivision; 62J.301, subdivision 3; 62J.38; 62L.08, subdivision 8; 256.9693; 256B.03, subdivision 3; 256B.0625, subdivision 3b, by adding a subdivision; Minnesota Statutes 2003 Supplement, sections 62J.04, subdivision 3; 62J.692, subdivision 3; 144.1501, subdivisions 2, 4; 256.954, subdivisions 4, 6, 10; 256B.061; 256B.0625, subdivision 9; 256B.69, subdivision 2; 256D.03, subdivisions 3, 4; 256L.03, subdivision 1; 256L.05, subdivision 4; 256L.07, subdivision 1; 256L.12, subdivision 6; proposing coding for new law in Minnesota Statutes, chapters 62J; 62Q; 256B; 256L; repealing Minnesota Statutes 2003 Supplement, sections 256.954, subdivision 12; 256B.0631; 256L.035.

Reports the same back with the recommendation that the bill be amended as follows:

Page 9, after line 22, insert:

"Sec. 7. [62J.385] [TARGETED HEALTH IMPROVEMENT.]

The commissioner of health shall gather information on the prevalence of high-risk, chronic conditions in Minnesota and on the health status of patients with these conditions. The commissioner shall establish targets for improving the health status of those with these high-risk, chronic conditions and develop a strategy for targeted health promotion and health interventions. The interventions should be designed in collaboration with health care providers, health plan companies, and local public health professionals."

Page 9, line 26, delete "or who are at risk of"

Page 11, line 21, delete "By"

Page 11, delete lines 22 to 29

Page 11, line 30, delete everything before "In" and insert "The commissioner of health, in consultation with the Minnesota Administrative Uniformity Committee, shall develop a functional model for an electronic medical record system according to the following schedule:

(1) by October 1, 2005, the commissioner shall develop a model system that provides immediate, electronic on-site access to complete patient information, including information necessary for quality assurance at the point of care delivery;

(2) by October 1, 2005, the commissioner shall develop standards for secure Internet or other viewing-only access to patient medical records that require the patient to provide access information to an off-site provider and do not allow interaction with the records; and

(3) by January 15, 2006, the commissioner shall develop standards for interoperable systems for sharing and synchronizing patient data across systems. The standards must include a requirement for a secure, biometric patient identification system to ensure access security and identity authentication."

Page 12, lines 5 and 20, delete "commissioners" and insert "commissioner"

Page 13, line 1, delete "In addition to clauses (1), (2), and (3),"

Page 13, line 2, delete "must also" and insert "is requested to"

Page 46, after line 14, insert:

"Sec. 37. Laws 2003, First Special Session chapter 14, article 6, section 65, is amended to read:

## Sec. 65. [FEDERAL GRANTS TO MAINTAIN INDEPENDENCE AND EMPLOYMENT.]

(a) The commissioner of human services shall seek federal funding to participate in grant activities authorized under Public Law 106-170, the Ticket to Work and Work Incentives Improvement Act of 1999. The purpose of the federal grant funds are to establish:

(1) a demonstration project to improve the availability of health care services and benefits to workers with potentially severe physical or mental impairments that are likely to lead to disability without access to Medicaid services; and

(2) a comprehensive initiative to remove employment barriers that includes linkages with non-Medicaid programs, including those administered by the Social Security Administration and the Department of Labor.

(b) The state's proposal for a demonstration project in paragraph (a), clause (1), shall focus on assisting workers with:

(1) a serious mental illness as defined by the federal Center for Mental Health Services;

(2) concurrent mental health and chemical dependency conditions; and

(3) young adults up to the age of 24 who have a physical or mental impairment that is severe and will potentially lead to a determination of disability by the Social Security Administration or state medical review team; and

(4) adults without children who are eligible for MinnesotaCare and who suffer from one or more of the following chronic health conditions: diabetes, hypertension, coronary artery disease, asthma, thyroid disease, cancer, chronic arthritis, HIV, or multiple sclerosis.

(c) The commissioner is authorized to take the actions necessary to design and implement the demonstration project in paragraph (a), clause (1), that include:

(1) establishing work-related requirements for participation in the demonstration project;

(2) working with stakeholders to establish methods that identify the population that will be served in the demonstration project;

(3) seeking funding for activities to design, implement, and evaluate the demonstration project;

(4) taking necessary administrative actions to implement the demonstration project by July 1, 2004, or within 180 days of receiving formal notice from the Centers for Medicare and Medicaid Services that a grant has been awarded;

(5) establishing limits on income and resources;

(6) establishing a method to coordinate health care benefits and payments with other coverage that is available to the participants;

(7) establishing premiums based on guidelines that are consistent with those found in Minnesota Statutes, section 256B.057, subdivision 9, for employed persons with disabilities;

(8) notifying local agencies of potentially eligible individuals in accordance with Minnesota Statutes, section 256B.19, subdivision 2c; and

(9) limiting the caseload of qualifying individuals participating in the demonstration project.

(d) The state's proposal for the comprehensive employment initiative in paragraph (a), clause (2), shall focus on:

(1) infrastructure development that creates incentives for greater work effort and participation by people with disabilities or workers with severe physical or mental impairments;

(2) consumer access to information and benefit assistance that enables the person to maximize employment and career advancement potential;

(3) improved consumer access to essential assistance and support;

(4) enhanced linkages between state and federal agencies to decrease the barriers to employment experienced by persons with disabilities or workers with severe physical or mental impairments; and

(5) research efforts to provide useful information to guide future policy development on both the state and federal levels.

(e) Funds awarded by the federal government for the purposes of this section are appropriated to the commissioner of human services.

(f) The commissioner shall report to the chairs of the senate and house of representatives finance divisions having jurisdiction over health care issues on the federal approval of the waiver under this section and the projected savings in the November and February forecasts. Any savings projected for the individuals described in paragraph (a), clause (4), shall be deposited in the health care access fund.

The commissioner must consider using the savings to increase GAMC hospital rates to the July 1, 2003 2004, levels as a supplemental budget proposal in the 2004 2005 legislative session."

Page 49, after line 7, insert:

"Sec. 43. [QUALITY IMPROVEMENT.]

The commissioners of human services and employee relations shall jointly develop a written plan for a provider payment system to be implemented by January 1, 2006. Under the provider payment system, a minimum of five percent of a provider's payment shall be withheld. Return of the withhold to a provider will be conditioned on the provider achieving certain quality improvement performance standards. The commissioners shall consult with local and national quality improvement groups to identify appropriate standards and measures related to performance. The plan must be submitted to the legislature by March 1, 2005. This provision does not prohibit the commissioners from negotiating the implementation of performance-based payment terms with particular providers prior to January 1, 2006."

Page 49, line 9, delete "\$6,000,000" and insert "\$....."

Page 49, after line 26, insert:

"(d) \$500,000 is appropriated in fiscal year 2005 to the Board of Regents of the University of Minnesota for the University of Minnesota's dental clinic to address dental care access for low-income patients."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 20, after the semicolon, insert "Laws 2003, First Special Session chapter 14, article 6, section 65;"

And when so amended the bill do pass and be re-referred to the Committee on Education. Amendments adopted. Report adopted.

**Senator Johnson, D.E., from the Committee on Rules and Administration, to which was referred**

**H.F. No. 1794** for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

**GENERAL ORDERS**

H.F. No.            S.F. No.

**CONSENT CALENDAR**H.F. No.            S.F. No.  
1794                    1615**CALENDAR**

H.F. No.            S.F. No.

and that the above Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

**SECOND READING OF SENATE BILLS**

S.F. Nos. 2044, 1946, 2182, 521, 2137, 2138, 1697, 1799 and 1859 were read the second time.

**SECOND READING OF HOUSE BILLS**

H.F. No. 1794 was read the second time.

**MOTIONS AND RESOLUTIONS**

Senator Pappas moved that the name of Senator Wiger be added as a co-author to S.F. No. 665. The motion prevailed.

Senator Bachmann moved that the name of Senator Solon be added as a co-author to S.F. No. 1574. The motion prevailed.

Senator Vickerman moved that the name of Senator Anderson be added as a co-author to S.F. No. 1974. The motion prevailed.

Senator Cohen moved that the name of Senator Vickerman be added as a co-author to S.F. No. 1975. The motion prevailed.

Senator Day moved that his name be stricken as a co-author to S.F. No. 2080. The motion prevailed.

Senator Hann moved that the names of Senators Gaither and Michel be added as co-authors to S.F. No. 2107. The motion prevailed.

Senator Cohen moved that the names of Senators Hottinger, Scheid and Pogemiller be added as co-authors to S.F. No. 2207. The motion prevailed.

Senator Ortman moved that the name of Senator Nienow be added as a co-author to S.F. No. 2328. The motion prevailed.

Senator Sparks moved that the name of Senator Anderson be added as a co-author to S.F. No. 2413. The motion prevailed.

Senator Kelley moved that S.F. No. 2365 be withdrawn from the Committee on Health and Family Security and re-referred to the Committee on Judiciary. The motion prevailed.

**Senator Marko introduced--**

**Senate Resolution No. 111:** A Senate resolution congratulating Jonathan Cameron Lyksett for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

**Senator Marko introduced--**

**Senate Resolution No. 112:** A Senate resolution congratulating Robert Kenneth Lyksett for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

**Senator Stumpf introduced--**

**Senate Resolution No. 113:** A Senate resolution congratulating Polaris Industries for its 50th Anniversary.

Referred to the Committee on Rules and Administration.

**Senator Stumpf introduced--**

**Senate Resolution No. 114:** A Senate resolution congratulating Stephen-Argyle Central High School 2003 Minnesota State Football Tournament 9-Man champions.

Referred to the Committee on Rules and Administration.

Senator Kleis moved that the reports from the Committee on State and Local Government Operations, reported February 19, 2004, pertaining to appointments, be taken from the table.

**CALL OF THE SENATE**

Senator Betzold imposed a call of the Senate for the balance of the proceedings on the Kleis motion. The Sergeant at Arms was instructed to bring in the absent members.

The question was taken on the adoption of the Kleis motion.

The roll was called, and there were yeas 31 and nays 33, as follows:

Those who voted in the affirmative were:

Bachmann	Hann	Larson	Olson	Ruud
Belanger	Johnson, D.J.	LeClair	Ortman	Senjem
Day	Jungbauer	Limmer	Ourada	Wergin
Dille	Kierlin	McGinn	Pariseau	
Fischbach	Kleis	Michel	Reiter	
Frederickson	Knutson	Neuville	Robling	
Gaither	Koering	Nienow	Rosen	

Those who voted in the negative were:

Anderson	Higgins	Marko	Ranum	Sparks
Berglin	Hottinger	Marty	Rest	Stumpf
Betzold	Johnson, D.E.	Metzen	Saxhaug	Tomassoni
Chaudhary	Kelley	Moua	Scheid	Vickerman
Cohen	Kubly	Murphy	Skoe	Wiger
Dibble	Langseth	Pappas	Skoglund	
Foley	Lourey	Pogemiller	Solon	

The motion did not prevail.

Remaining on the Order of Business of Motions and Resolutions, Senator Johnson, D.E. moved that the Senate take up the Calendar. The motion prevailed.

**CALENDAR**

**S.F. No. 1626:** A bill for an act relating to municipalities; making certain changes regarding storm and sanitary sewer authorizations; amending Minnesota Statutes 2002, section 444.075, subdivisions 1, 1a, 2, 3.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gaither	Larson	Olson	Senjem
Bachmann	Hann	LeClair	Ortman	Skoe
Belanger	Higgins	Limmer	Ourada	Skoglund
Berglin	Hottinger	Lourey	Pappas	Solon
Betzold	Johnson, D.J.	Marko	Pariseau	Sparks
Chaudhary	Jungbauer	Marty	Pogemiller	Stumpf
Cohen	Kelley	McGinn	Ranum	Tomassoni
Day	Kierlin	Metzen	Reiter	Vickerman
Dibble	Kleis	Michel	Rest	Wergin
Dille	Knutson	Moua	Robling	Wiger
Fischbach	Koering	Murphy	Rosen	
Foley	Kubly	Neuville	Ruud	
Frederickson	Langseth	Nienow	Scheid	

So the bill passed and its title was agreed to.

**S.F. No. 148:** A bill for an act relating to elections; increasing disclosure of contributions and expenditures for local political campaigns; amending Minnesota Statutes 2002, section 211A.02, subdivisions 1, 2.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 50 and nays 13, as follows:

Those who voted in the affirmative were:

Anderson	Frederickson	Larson	Olson	Scheid
Bachmann	Hann	Limmer	Ortman	Skoe
Berglin	Higgins	Lourey	Ourada	Skoglund
Betzold	Hottinger	Marko	Pappas	Solon
Chaudhary	Johnson, D.E.	Marty	Pogemiller	Sparks
Cohen	Kelley	McGinn	Ranum	Stumpf
Day	Kleis	Moua	Rest	Tomassoni
Dibble	Knutson	Murphy	Robling	Vickerman
Dille	Kubly	Neuville	Rosen	Wergin
Foley	Langseth	Nienow	Saxhaug	Wiger

Those who voted in the negative were:

Belanger	Johnson, D.J.	Koering	Pariseau	Senjem
Fischbach	Jungbauer	LeClair	Reiter	
Gaither	Kierlin	Michel	Ruud	

So the bill passed and its title was agreed to.

**H.F. No. 480:** A bill for an act relating to civil actions; providing protection for disclosure of job reference information; requiring disclosure of data between school districts and charter schools relating to acts of violence or inappropriate sexual contact with students; amending Minnesota Statutes 2002, section 13.43, subdivision 16; proposing coding for new law in Minnesota Statutes, chapter 181.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Hann	Larson	Olson	Scheid
Bachmann	Higgins	LeClair	Ortman	Senjem
Belanger	Hottinger	Limmer	Ourada	Skoe
Betzold	Johnson, D.E.	Lourey	Pappas	Skoglund
Chaudhary	Johnson, D.J.	Marko	Pariseau	Solon
Cohen	Jungbauer	Marty	Pogemiller	Sparks
Day	Kelley	McGinn	Ranum	Stumpf
Dibble	Kierlin	Metzen	Reiter	Tomassoni
Dille	Kleis	Michel	Rest	Vickerman
Fischbach	Knutson	Moua	Robling	Wergin
Foley	Koering	Murphy	Rosen	Wiger
Frederickson	Kubly	Neuville	Ruud	
Gaither	Langseth	Nienow	Saxhaug	

Those who voted in the negative were:

Berglin

So the bill passed and its title was agreed to.

**S.F. No. 1745:** A bill for an act relating to civil law; changing certain provisions of trust law; clarifying procedures and terms; providing an effective date; making technical changes to guardianship and conservatorship law and correcting certain references; amending Minnesota Statutes 2002, sections 144.343, subdivision 2; 145B.03, subdivision 3; 145C.05, subdivision 2; 145C.07, subdivisions 2, 4; 147.091, subdivision 2; 147A.13, subdivision 2; 148.10, subdivision 6; 148.75; 153.22, subdivision 4; 156.122; 176.092, subdivision 1; 196.051, subdivision 2; 252A.01, subdivision 1; 252A.03, subdivision 3; 252A.06, subdivision 2; 252A.081; 252A.111; 252A.171; 252A.19; 253B.03, subdivisions 4a, 6, 6a, 6d, 11; 257B.02; 257B.04, subdivision 4; 257B.06, subdivision 2; 257C.02; 260C.325, subdivision 3; 270B.03, subdivision 2; 501B.08; 501B.14, subdivision 3; 501B.16; 501B.47; 501B.49, subdivision 2; 501B.50; 501B.51, subdivision 1; 501B.53, subdivision 4; 519.07; 523.03; 524.1-201; 524.2-606; 524.3-715; 525.71; 609.2325, subdivision 2; 609.233, subdivision 2; 626.557, subdivision 10; 626.5572, subdivision 17; Minnesota Statutes 2003 Supplement, sections 256J.14; 524.5-104; 524.5-118, subdivision 2; 524.5-304; 524.5-308; 524.5-406; 524.5-408; 524.5-417; Laws 2002, chapter 347, section 5; proposing coding for new law in Minnesota Statutes, chapter 501B.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gaither	Langseth	Olson	Scheid
Bachmann	Hann	Larson	Ortman	Senjem
Belanger	Higgins	LeClair	Ourada	Skoe
Berglin	Hottinger	Limmer	Pappas	Skoglund
Betzold	Johnson, D.E.	Lourey	Pariseau	Solon
Chaudhary	Johnson, D.J.	Marko	Pogemiller	Sparks
Cohen	Jungbauer	Marty	Ranum	Stumpf
Day	Kelley	McGinn	Reiter	Tomassoni
Dibble	Kierlin	Metzen	Rest	Vickerman
Dille	Kleis	Michel	Robling	Wergin
Fischbach	Knutson	Murphy	Rosen	Wiger
Foley	Koering	Neuville	Ruud	
Frederickson	Kubly	Nienow	Saxhaug	

So the bill passed and its title was agreed to.

### MOTIONS AND RESOLUTIONS - CONTINUED

Remaining on the Order of Business of Motions and Resolutions, Senator Johnson, D.E. moved that the Senate take up the Consent Calendar. The motion prevailed.

**CONSENT CALENDAR**

**S.F. No. 2063:** A bill for an act relating to local government; clarifying certain collateralization requirements; amending Minnesota Statutes 2002, section 118A.03, subdivision 1; Minnesota Statutes 2003 Supplement, section 118A.03, subdivision 3.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gaither	Langseth	Nienow	Saxhaug
Bachmann	Hann	Larson	Olson	Scheid
Belanger	Higgins	LeClair	Ortman	Senjem
Berglin	Hottinger	Limmer	Ourada	Skoe
Betzold	Johnson, D.E.	Lourey	Pappas	Skoglund
Chaudhary	Johnson, D.J.	Marko	Pariseau	Solon
Cohen	Jungbauer	Marty	Pogemiller	Sparks
Day	Kelley	McGinn	Ranum	Stumpf
Dibble	Kierlin	Metzen	Reiter	Tomassoni
Dille	Kleis	Michel	Rest	Vickerman
Fischbach	Knutson	Moua	Robling	Wergin
Foley	Koering	Murphy	Rosen	Wiger
Frederickson	Kubly	Neuville	Ruud	

So the bill passed and its title was agreed to.

**S.F. No. 1814:** A bill for an act relating to metropolitan government; providing for the use of electronic funds transfer; amending Minnesota Statutes 2002, section 473.13, subdivision 4.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gaither	Langseth	Nienow	Saxhaug
Bachmann	Hann	Larson	Olson	Scheid
Belanger	Higgins	LeClair	Ortman	Senjem
Berglin	Hottinger	Limmer	Ourada	Skoe
Betzold	Johnson, D.E.	Lourey	Pappas	Skoglund
Chaudhary	Johnson, D.J.	Marko	Pariseau	Solon
Cohen	Jungbauer	Marty	Pogemiller	Sparks
Day	Kelley	McGinn	Ranum	Stumpf
Dibble	Kierlin	Metzen	Reiter	Tomassoni
Dille	Kleis	Michel	Rest	Vickerman
Fischbach	Knutson	Moua	Robling	Wergin
Foley	Koering	Murphy	Rosen	Wiger
Frederickson	Kubly	Neuville	Ruud	

So the bill passed and its title was agreed to.

**S.F. No. 1815:** A bill for an act relating to metropolitan government; authorizing the State Board of Investment to invest certain funds or assets of the Metropolitan Council upon request; amending Minnesota Statutes 2002, section 473.13, by adding a subdivision.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gaither	Langseth	Nienow	Saxhaug
Bachmann	Hann	Larson	Olson	Scheid
Belanger	Higgins	LeClair	Ortman	Senjem
Berglin	Hottinger	Limmer	Ourada	Skoe
Betzold	Johnson, D.E.	Lourey	Pappas	Skoglund
Chaudhary	Johnson, D.J.	Marko	Pariseau	Solon
Cohen	Jungbauer	Marty	Pogemiller	Sparks
Day	Kelley	McGinn	Ranum	Stumpf
Dibble	Kierlin	Metzen	Reiter	Tomassoni
Dille	Kleis	Michel	Rest	Vickerman
Fischbach	Knutson	Moua	Robling	Wergin
Foley	Koering	Murphy	Rosen	Wiger
Frederickson	Kubly	Neuville	Ruud	

So the bill passed and its title was agreed to.

**S.F. No. 1903:** A bill for an act relating to municipalities; including counties in the definition of municipality for purposes of removal of hazardous buildings or hazardous property; amending Minnesota Statutes 2002, sections 463.15, by adding a subdivision; 463.151; 463.152, subdivision 2; 463.16; 463.161; 463.25.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gaither	Langseth	Olson	Skoe
Bachmann	Hann	Larson	Ourada	Skoglund
Belanger	Higgins	LeClair	Pappas	Solon
Berglin	Hottinger	Limmer	Pariseau	Sparks
Betzold	Johnson, D.E.	Lourey	Pogemiller	Stumpf
Chaudhary	Johnson, D.J.	Marko	Ranum	Tomassoni
Cohen	Jungbauer	Marty	Reiter	Vickerman
Day	Kelley	McGinn	Rest	Wergin
Dibble	Kierlin	Metzen	Robling	Wiger
Dille	Kleis	Michel	Ruud	
Fischbach	Knutson	Moua	Saxhaug	
Foley	Koering	Murphy	Scheid	
Frederickson	Kubly	Nienow	Senjem	

So the bill passed and its title was agreed to.

## RECONSIDERATION

Having voted on the prevailing side, Senator Frederickson moved that the vote whereby S.F. No. 1903 was passed by the Senate March 1, 2004, be now reconsidered. The motion prevailed. So the vote was reconsidered.

**S.F. No. 1903:** A bill for an act relating to municipalities; including counties in the definition of municipality for purposes of removal of hazardous buildings or hazardous property; amending Minnesota Statutes 2002, sections 463.15, by adding a subdivision; 463.151; 463.152, subdivision 2; 463.16; 463.161; 463.25.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gaither	Langseth	Nienow	Saxhaug
Bachmann	Hann	Larson	Olson	Scheid
Belanger	Higgins	LeClair	Ortman	Senjem
Berglin	Hottinger	Limmer	Ourada	Skoe
Betzold	Johnson, D.E.	Lourey	Pappas	Skoglund
Chaudhary	Johnson, D.J.	Marko	Pariseau	Solon
Cohen	Jungbauer	Marty	Pogemiller	Sparks
Day	Kelley	McGinn	Ranum	Stumpf
Dibble	Kierlin	Metzen	Reiter	Tomassoni
Dille	Kleis	Michel	Rest	Vickerman
Fischbach	Knutson	Moua	Robling	Wergin
Foley	Koering	Murphy	Rosen	Wiger
Frederickson	Kubly	Neuville	Ruud	

So the bill passed and its title was agreed to.

### MOTIONS AND RESOLUTIONS - CONTINUED

Senator Rest moved that the appointment withdrawn from the committee and placed on the Confirmation Calendar under Senate Rule 8.2, reported in the Journal for February 23, 2004, be returned to the committee from which it was withdrawn.

Department of Education Commissioner - Cheri Pierson Yecke to the Committee on Education

### CALL OF THE SENATE

Senator Rest imposed a call of the Senate for the balance of the proceedings on her motion. The Sergeant at Arms was instructed to bring in the absent members.

The question was taken on the adoption of the Rest motion.

The roll was called, and there were yeas 33 and nays 31, as follows:

Those who voted in the affirmative were:

Anderson	Higgins	Marko	Ranum	Sparks
Berglin	Hottinger	Marty	Rest	Stumpf
Betzold	Johnson, D.E.	Metzen	Saxhaug	Tomassoni
Chaudhary	Kelley	Moua	Scheid	Vickerman
Cohen	Kubly	Murphy	Skoe	Wiger
Dibble	Langseth	Pappas	Skoglund	
Foley	Lourey	Pogemiller	Solon	

Those who voted in the negative were:

Bachmann	Hann	Larson	Olson	Ruud
Belanger	Johnson, D.J.	LeClair	Ortman	Senjem
Day	Jungbauer	Limmer	Ourada	Wergin
Dille	Kierlin	McGinn	Pariseau	
Fischbach	Kleis	Michel	Reiter	
Frederickson	Knutson	Neuville	Robling	
Gaither	Koering	Nienow	Rosen	

The motion prevailed.

### INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time and referred to the committees indicated.

#### Senator LeClair introduced--

**S.F. No. 2416:** A bill for an act relating to professions; modifying limitations on practice of

architecture, landscape architecture, engineering, geoscience, and interior design; amending Minnesota Statutes 2002, section 326.02, subdivision 5.

Referred to the Committee on Commerce.

**Senators Vickerman, Pappas, Tomassoni, Higgins and Langseth introduced--**

**S.F. No. 2417:** A bill for an act relating to state government; providing a process for community ownership of the Minnesota Twins; proposing coding for new law as Minnesota Statutes, chapter 4B.

Referred to the Committee on State and Local Government Operations.

**Senators Sparks, Sams, Belanger, Michel and Pogemiller introduced--**

**S.F. No. 2418:** A bill for an act relating to commerce; regulating safe deposit companies; modifying collateral requirements applicable to depositories of local public funds; amending Minnesota Statutes 2002, section 55.15; Minnesota Statutes 2003 Supplement, section 118A.03, subdivision 2.

Referred to the Committee on Commerce.

**Senators Tomassoni and Bakk introduced--**

**S.F. No. 2419:** A bill for an act relating to state lands; authorizing public and private sales of certain tax-forfeited land that borders public water in St. Louis County.

Referred to the Committee on Environment and Natural Resources.

**Senators Higgins, Pappas, Ruud, Metzen and Sparks introduced--**

**S.F. No. 2420:** A bill for an act relating to capital improvements; appropriating money to create the Minnesota Shubert Center in the city of Minneapolis; authorizing the sale of state bonds.

Referred to the Committee on Finance.

**Senators McGinn, Kleis, Knutson, Wiger and Foley introduced--**

**S.F. No. 2421:** A bill for an act relating to crimes; providing penalties; prohibiting use and sale of electronic devices that change traffic signals; amending Minnesota Statutes 2002, section 609.851, by adding a subdivision.

Referred to the Committee on Crime Prevention and Public Safety.

**Senators Marty and Frederickson introduced--**

**S.F. No. 2422:** A bill for an act relating to the environment; modifying regulation of certain PCB wastes; amending Minnesota Statutes 2002, section 116.07, by adding a subdivision.

Referred to the Committee on Environment and Natural Resources.

**Senators Chaudhary, Belanger, Metzen, Gaither and Rest introduced--**

**S.F. No. 2423:** A bill for an act relating to insurance; requiring discounts on commercial auto policies for taxi service operators whose drivers complete an accident prevention course; proposing coding for new law in Minnesota Statutes, chapter 65B.

Referred to the Committee on Commerce.

**Senators Chaudhary and Foley introduced--**

**S.F. No. 2424:** A bill for an act relating to crime prevention; expanding the trespass law; amending Minnesota Statutes 2002, section 609.605, subdivision 1.

Referred to the Committee on Crime Prevention and Public Safety.

**Senator Foley introduced--**

**S.F. No. 2425:** A bill for an act relating to human services; giving MinnesotaCare enrollees with limited benefit coverage the option of removing prescription drug coverage from the aggregate dollar cap; amending Minnesota Statutes 2003 Supplement, section 256L.035.

Referred to the Committee on Health and Family Security.

**Senators Berglin, Foley, Koering and Cohen introduced--**

**S.F. No. 2426:** A bill for an act relating to public defense; providing for representation by the public defender; providing public defender access to government data; requiring the public defense co-payment to be deposited in the general fund; appropriating money; amending Minnesota Statutes 2002, section 611.16; Minnesota Statutes 2003 Supplement, sections 611.17, subdivision 1; 611.25, subdivision 1; 611.272; repealing Minnesota Statutes 2003 Supplement, section 611.18.

Referred to the Committee on Crime Prevention and Public Safety.

**Senator Rest introduced--**

**S.F. No. 2427:** A bill for an act relating to state finance; changing the date of the February forecast; amending Minnesota Statutes 2002, section 16A.103, subdivision 1.

Referred to the Committee on Finance.

**Senators Vickerman, Dille, Sams, Murphy and Lourey introduced--**

**S.F. No. 2428:** A bill for an act relating to agriculture; defining certain terms; providing for the validity of certain electronic documents and signatures; amending Minnesota Statutes 2002, sections 223.16, by adding subdivisions; 223.177, subdivision 3; 232.21, by adding subdivisions; 232.23, subdivision 4.

Referred to the Committee on Agriculture, Veterans and Gaming.

**Senators Murphy, Sams, Higgins, Vickerman and Sparks introduced--**

**S.F. No. 2429:** A bill for an act relating to employment; requiring notice of intent to shift jobs out of the country; proposing coding for new law in Minnesota Statutes, chapter 181.

Referred to the Committee on Jobs, Energy and Community Development.

**Senator Moua introduced--**

**S.F. No. 2430:** A bill for an act relating to taxation; making technical, clarifying, and administrative changes to certain taxes and tax provisions, data disclosure provisions, local government aid provisions, and sustainable forest incentive provisions; changing civil penalties; repealing obsolete rules; amending Minnesota Statutes 2002, sections 270.65; 270B.12, subdivision 9; 272.01, subdivision 2; 272.02, subdivisions 1a, 7, by adding subdivisions; 273.124, subdivision 8; 273.19, subdivision 1a; 274.14; 275.065, subdivision 1a; 275.07, subdivisions 1, 4; 282.016; 282.21; 282.224; 282.301; 287.04; 289A.37, subdivision 5; 289A.38, subdivision 6;

289A.60, subdivision 6; 290.06, subdivision 22; 290.92, subdivision 1; 290C.05; 295.50, subdivision 4; 296A.22, by adding a subdivision; 297E.01, subdivisions 5, 7, by adding subdivisions; 297E.07; 297I.01, by adding a subdivision; 297I.05, subdivision 4; 325D.33, subdivision 6; 473.843, subdivision 5; Minnesota Statutes 2003 Supplement, sections 168A.05, subdivision 1a; 274.014, subdivision 3; 276.112; 289A.19, subdivision 4; 289A.40, subdivision 2; 290.01, subdivision 19a; 290.0674, subdivision 1; 297A.668, subdivisions 1, 3, 5; 297A.669, subdivision 16; 297A.68, subdivisions 2, 5, 39; 297F.08, subdivision 12; 297F.09, subdivisions 1, 2; 477A.011, subdivision 36; 477A.03, subdivision 2b; Laws 2003, First Special Session chapter 21, article 5, section 13; Laws 2003, First Special Session chapter 21, article 6, section 9; proposing coding for new law in Minnesota Statutes, chapter 290C; repealing Minnesota Statutes 2002, sections 273.19, subdivision 5; 275.15; 283.07; 297E.12, subdivision 10; Minnesota Rules, parts 8093.2000; 8093.3000; 8130.0110, subpart 4; 8130.0200, subparts 5, 6; 8130.0400, subpart 9; 8130.1200, subparts 5, 6; 8130.2900; 8130.3100, subpart 1; 8130.4000, subparts 1, 2; 8130.4200, subpart 1; 8130.4400, subpart 3; 8130.5200; 8130.5600, subpart 3; 8130.5800, subpart 5; 8130.7300, subpart 5; 8130.8800, subpart 4.

Referred to the Committee on Taxes.

**Senators Rest, Tomassoni, Skoe, Belanger and Ruud introduced--**

**S.F. No. 2431:** A bill for an act relating to taxation; exempting publicly traded partnerships from the withholding requirements; amending Minnesota Statutes 2002, section 290.92, subdivision 4b.

Referred to the Committee on Taxes.

**Senator Lourey introduced--**

**S.F. No. 2432:** A bill for an act relating to health; requiring coverage for or provision of language interpreter services for enrollees; proposing coding for new law in Minnesota Statutes, chapter 62Q.

Referred to the Committee on Health and Family Security.

**Senators Vickerman, Metzen, Day, Sams and Stumpf introduced--**

**S.F. No. 2433:** A bill for an act relating to taxation; reducing rates of tax on lawful gambling; amending Minnesota Statutes 2002, section 297E.02, subdivisions 1, 4, 6.

Referred to the Committee on Agriculture, Veterans and Gaming.

**Senators Lourey, Day, Metzen, Stumpf and Tomassoni introduced--**

**S.F. No. 2434:** A bill for an act relating to lawful gambling; providing for certain tipboard games; amending Minnesota Statutes 2002, sections 349.12, subdivision 34; 349.151, by adding a subdivision; 349.1711, subdivision 2; 349.211, by adding a subdivision; repealing Minnesota Statutes 2002, section 349.2127, subdivision 9.

Referred to the Committee on Agriculture, Veterans and Gaming.

**Senators Vickerman, Metzen, Day, Sams and Stumpf introduced--**

**S.F. No. 2435:** A bill for an act relating to lawful gambling; modifying days organizations may conduct lawful gambling on certain premises; increasing bingo prize limits; extending authority to adopt tipboard rules; amending Minnesota Statutes 2002, section 349.18, subdivision 2; Minnesota Statutes 2003 Supplement, section 349.211, subdivision 1.

Referred to the Committee on Agriculture, Veterans and Gaming.

**Senator Higgins introduced--**

**S.F. No. 2436:** A bill for an act relating to property taxation; providing a valuation exclusion for lead hazard reduction; amending Minnesota Statutes 2002, section 273.11, by adding a subdivision.

Referred to the Committee on Taxes.

**Senators Rest, Vickerman, Hottinger, Hann and Dille introduced--**

**S.F. No. 2437:** A bill for an act relating to farm products; regulating liens and financing statements; establishing filing requirements; setting fees; amending Minnesota Statutes 2002, sections 336A.01; 336A.02; 336A.03; 336A.04; 336A.05; 336A.06; 336A.07; 336A.08; 336A.09; 336A.10; 336A.11, subdivisions 1, 2; 336A.12; 336A.13; proposing coding for new law in Minnesota Statutes, chapter 336A; repealing Minnesota Rules, parts 8265.0100; 8265.0200; 8265.0300; 8265.0400; 8265.0500; 8265.0600.

Referred to the Committee on Agriculture, Veterans and Gaming.

**Senators Higgins and Lourey introduced--**

**S.F. No. 2438:** A bill for an act relating to human services; requiring the Department of Human Services to increase nursing facility and community services payment rates; appropriating money; amending Minnesota Statutes 2002, section 256B.431, by adding a subdivision; Minnesota Statutes 2003 Supplement, section 256B.431, subdivision 39.

Referred to the Committee on Health and Family Security.

**Senators Kelley, Anderson, Moua, Pappas and Skoe introduced--**

**S.F. No. 2439:** A bill for an act relating to education finance; providing parallel special education funding for school districts and charter schools; modifying the pupil count used to adjust special education revenue amounts; amending Minnesota Statutes 2002, sections 124D.11, subdivision 5; 125A.76, subdivision 3; Minnesota Statutes 2003 Supplement, sections 125A.76, subdivisions 1, 4; 125A.79, subdivisions 1, 6.

Referred to the Committee on Finance.

**Senators Anderson, Pappas, Moua and Skoglund introduced--**

**S.F. No. 2440:** A bill for an act relating to education finance; modifying the pupil transportation formulas for charter schools; amending Minnesota Statutes 2003 Supplement, sections 124D.10, subdivision 16; 124D.11, subdivision 2.

Referred to the Committee on Finance.

**Senator Dibble introduced--**

**S.F. No. 2441:** A bill for an act relating to capital improvements; authorizing the sale of state bonds; appropriating money to mitigate flooding at Lake of the Isles.

Referred to the Committee on Finance.

**Senators Pogemiller, Foley, Metzen, Sparks and Marko introduced--**

**S.F. No. 2442:** A bill for an act relating to consumer protection; providing a property tax reduction for structures contaminated by mold; establishing a Homeowners Protection Act of 2004; adding attorney fees to damages for breach of new home and home improvement

warranties; limiting exclusions or modifications of new home and home improvement warranties; establishing a voluntary home inspector certification program; regulating subcontractor notice for purposes of enforcing mechanical liens; amending Minnesota Statutes 2002, sections 273.123, by adding a subdivision; 327A.04; 327A.05, subdivisions 1, 2; 514.011, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 325E; 326; 337.

Referred to the Committee on Commerce.

**Senators Pappas, Anderson, Marko, Kelley and Ranum introduced--**

**S.F. No. 2443:** A bill for an act relating to education; providing for comprehensive family life and sexuality education programs; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 121A; repealing Minnesota Statutes 2002, section 121A.23, subdivision 2; Minnesota Statutes 2003 Supplement, section 121A.23, subdivision 1.

Referred to the Committee on Education.

**Senators Kiscaden, Kierlin, Dille, Tomassoni and Saxhaug introduced--**

**S.F. No. 2444:** A bill for an act relating to education; providing for comprehensive family life and sexuality education programs; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 121A; repealing Minnesota Statutes 2002, section 121A.23, subdivision 2; Minnesota Statutes 2003 Supplement, section 121A.23, subdivision 1.

Referred to the Committee on Education.

**Senators Rest, Belanger, Ortman and Scheid introduced--**

**S.F. No. 2445:** A bill for an act relating to taxation; increasing the weight of the sales factor in the apportionment formula used in the corporate franchise tax; amending Minnesota Statutes 2002, section 290.191, subdivisions 2, 3; repealing Minnesota Statutes 2002, section 290.191, subdivision 4.

Referred to the Committee on Taxes.

**Senator Rest introduced--**

**S.F. No. 2446:** A bill for an act relating to counties; authorizing counties in the metropolitan area to create economic development service providers; amending Minnesota Statutes 2002, section 469.1082, subdivision 1.

Referred to the Committee on State and Local Government Operations.

**Senators Hottinger and Frederickson introduced--**

**S.F. No. 2447:** A bill for an act relating to human services; modifying the nursing home property reimbursement rate for a previously approved moratorium exception project; amending Minnesota Statutes 2003 Supplement, section 144A.071, subdivision 4c.

Referred to the Committee on Health and Family Security.

**Senators Moua, McGinn, Ranum, Pappas and Lourey introduced--**

**S.F. No. 2448:** A bill for an act relating to parenting time centers; providing a divorce filing fee surcharge to fund parenting time centers; appropriating money; amending Minnesota Statutes 2002, section 357.021, by adding a subdivision.

Referred to the Committee on Judiciary.

**Senators Tomassoni, Wergin, Bakk, Kierlin and Kubly introduced--**

**S.F. No. 2449:** A bill for an act relating to townships; clarifying levy and spending authority; defining total revenue; amending Minnesota Statutes 2002, sections 365.43, subdivision 1; 365.431.

Referred to the Committee on Taxes.

**Senators Bachmann, Reiter, Jungbauer and Nienow introduced--**

**S.F. No. 2450:** A bill for an act proposing an amendment to the Minnesota Constitution by adding a section to article XIV; requiring that tolls on public highways be discontinued when original construction costs have been paid.

Referred to the Committee on Finance.

**Senators Scheid, Metzen and Foley introduced--**

**S.F. No. 2451:** A bill for an act relating to education; giving school districts full use of their pools for competitive high school diving; amending Minnesota Statutes 2003 Supplement, section 128C.05, subdivision 1a.

Referred to the Committee on Education.

**Senators Kiscaden, Marko, Skoe, Langseth and Kelley introduced--**

**S.F. No. 2452:** A bill for an act relating to education finance; removing the limit on funding for limited English proficiency programs; amending Minnesota Statutes 2003 Supplement, sections 124D.59, subdivision 2; 124D.65, subdivision 5; 126C.10, subdivision 4.

Referred to the Committee on Finance.

**Senators Lourey and Gaither introduced--**

**S.F. No. 2453:** A bill for an act relating to motor fuels; regulating oxygenated gasoline; abolishing a fee and certain requirements and powers of Department of Commerce relating to utility measuring equipment; amending Minnesota Statutes 2002, section 239.791, subdivision 12, by adding a subdivision; repealing Minnesota Statutes 2002, sections 239.12; 239.25.

Referred to the Committee on Commerce.

**Senators Frederickson and Vickerman introduced--**

**S.F. No. 2454:** A bill for an act relating to capital improvements; appropriating money for a waste-to-energy and material recycling facility in Lamberton; authorizing state bonds.

Referred to the Committee on Finance.

**Senator Murphy introduced--**

**S.F. No. 2455:** A bill for an act relating to public safety; removing sunset date on propane education and research council established under federal law; repealing Laws 2001, chapter 130, sections 5, 6.

Referred to the Committee on State and Local Government Operations.

**Senators Anderson, Cohen, Moua, Rosen and Kelley introduced--**

**S.F. No. 2456:** A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for the St. Paul Bioscience Corridor.

Referred to the Committee on Finance.

**Senators Betzold, Jungbauer and Foley introduced--**

**S.F. No. 2457:** A bill for an act relating to the Anoka County Regional Railroad Authority; authorizing the Anoka County Regional Railroad Authority to exercise economic development authority powers.

Referred to the Committee on Jobs, Energy and Community Development.

**Senators Marko, Belanger, Metzen, McGinn and Knutson introduced--**

**S.F. No. 2458:** A bill for an act relating to local government; removing requirement for first class mailing for notice of proposed property taxes; amending Minnesota Statutes 2003 Supplement, section 275.065, subdivision 3.

Referred to the Committee on Taxes.

**Senator Johnson, D.E. introduced--**

**S.F. No. 2459:** A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for an airport extension and railroad bypass in or near the city of Willmar.

Referred to the Committee on Finance.

**Senators Berglin, Lourey, Kiscaden, Higgins and Solon introduced--**

**S.F. No. 2460:** A bill for an act relating to trusts; defining a nonprofit health care trust; establishing requirements for certain agreements and transactions between nonprofit health care trusts and noncharitable entities; amending Minnesota Statutes 2002, sections 13.381, by adding a subdivision; 317A.811, subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 501B.

Referred to the Committee on Judiciary.

**Senators Knutson, Ranum, Neuville and Ruud introduced--**

**S.F. No. 2461:** A bill for an act relating to traffic regulations; creating crime of aggressive driving; increasing criminal penalty for reckless driving; requiring driver's license suspension of person convicted of either crime; making technical change; amending Minnesota Statutes 2002, section 171.165, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 169; repealing Minnesota Statutes 2002, section 169.13, subdivision 1.

Referred to the Committee on Crime Prevention and Public Safety.

**Senators Anderson, Higgins and Dibble introduced--**

**S.F. No. 2462:** A bill for an act relating to real property; housing and redevelopment authority residential properties; preserving housing authority ability to lease townhome and condominium properties to eligible tenants; amending Minnesota Statutes 2002, section 469.018, by adding a subdivision.

Referred to the Committee on Jobs, Energy and Community Development.

**Senator Berglin introduced--**

**S.F. No. 2463:** A bill for an act relating to criminal justice; providing that certain violent offenders consent to on-demand searches as a condition of being released on probation, supervised release, or parole; amending Minnesota Statutes 2002, sections 244.05, by adding a subdivision; 609.135, by adding a subdivision.

Referred to the Committee on Crime Prevention and Public Safety.

**Senators Chaudhary and Ranum introduced--**

**S.F. No. 2464:** A bill for an act relating to crime prevention; public safety; prohibiting the commissioner of corrections from placing a sex offender on supervised or conditional release if the offender has refused or failed offered sex offender treatment; amending Minnesota Statutes 2002, sections 244.03; 244.05, subdivision 1b.

Referred to the Committee on Crime Prevention and Public Safety.

**Senators Michel, Scheid, Sparks, LeClair and Metzen introduced--**

**S.F. No. 2465:** A bill for an act relating to civil class actions; regulating class actions against insurance entities; requiring a stay if Commerce Department jurisdiction is involved; proposing coding for new law in Minnesota Statutes, chapter 540.

Referred to the Committee on Judiciary.

**Senator Metzen introduced--**

**S.F. No. 2466:** A bill for an act relating to commerce; increasing the petroleum inspection fee; regulating recovery of the fee; appropriating money; amending Minnesota Statutes 2002, section 239.101, subdivision 3; repealing Minnesota Statutes 2003 Supplement, section 239.101, subdivision 7.

Referred to the Committee on Commerce.

**Senator Chaudhary introduced--**

**S.F. No. 2467:** A bill for an act relating to crime prevention; public safety; requiring the commissioner of public safety to appoint railroad peace officers; providing for licensing and compensation of railroad peace officers; addressing civil liability issues; requiring rulemaking; amending Minnesota Statutes 2002, sections 626.05, subdivision 2; 626.84, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 219.

Referred to the Committee on Crime Prevention and Public Safety.

**Senators Kiscaden, Belanger, Betzold and Hottinger introduced--**

**S.F. No. 2468:** A bill for an act relating to health; increasing the tax on tobacco products; reducing the MinnesotaCare tax on health care providers; eliminating the Minnesota Comprehensive Health Association assessment; appropriating money; amending Minnesota Statutes 2002, sections 295.52, subdivisions 1, 1a, 2, 3; 297F.05, subdivisions 3, 4; Minnesota Statutes 2003 Supplement, sections 297F.05, subdivision 1; 297F.10, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 62E.

Referred to the Committee on Health and Family Security.

**Senators Vickerman and Dille introduced--**

**S.F. No. 2469:** A bill for an act relating to crime; prohibiting intentional introduction of disease to domestic animals; prohibiting certain trespass on agricultural land; providing a civil remedy; providing criminal penalties; amending Minnesota Statutes 2002, section 609.605, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 609.

Referred to the Committee on Crime Prevention and Public Safety.

**Senators Ruud, Neuville and Ortman introduced--**

**S.F. No. 2470:** A bill for an act relating to juvenile justice; repealing the extended juvenile jurisdiction law; amending Minnesota Statutes 2002, sections 260B.125, subdivision 8; 260B.171, subdivision 2; 260B.193, subdivision 5; 260B.199, subdivision 1; 260B.201, subdivision 2; 260B.255, subdivision 1; 611A.08, subdivision 3; repealing Minnesota Statutes 2002, section 260B.130.

Referred to the Committee on Crime Prevention and Public Safety.

**Senators Bachmann, Reiter and Jungbauer introduced--**

**S.F. No. 2471:** A bill for an act relating to metropolitan government; providing additional oversight responsibilities for the Legislative Commission on Metropolitan Government; amending Minnesota Statutes 2002, sections 3.8841, by adding subdivisions; 473.246.

Referred to the Committee on State and Local Government Operations.

**Senators Frederickson and Marty introduced--**

**S.F. No. 2472:** A bill for an act relating to natural resources; providing for certain rulemaking exemptions; granting authorities to the commissioner of natural resources; authorizing fees; modifying civil penalties; amending Minnesota Statutes 2002, sections 83A.02; 84.027, by adding a subdivision; 84.029, by adding a subdivision; 84.033; 84.0855, by adding a subdivision; 84.791, subdivision 2, by adding a subdivision; 84.86, subdivision 1; 84.8712, subdivision 2; 84.925, subdivision 1, by adding a subdivision; 84D.13, subdivision 5; 85.052, subdivisions 1, 2, by adding subdivisions; 85.055, subdivision 1a; 85.22, subdivision 3; 86A.05, subdivision 5; 86A.07, subdivision 3; 86A.21; 86B.321, subdivision 2; 86B.521, by adding a subdivision; 88.79, by adding a subdivision; 89.012; 89.018, subdivisions 1, 2, by adding a subdivision; 89.19; 89.21; 89.37, by adding a subdivision; 89.53, subdivision 1; 89.71, subdivision 1; 97A.101, subdivision 2; 97A.133, subdivision 3; 97A.135, subdivision 1; 97A.145, subdivision 1; 97B.015, by adding a subdivision; 97B.025; 103G.223; 103I.601, subdivision 3; 282.01, subdivision 3; Minnesota Statutes 2003 Supplement, sections 84.029, subdivision 1; 84.775, subdivision 1; 84.780.

Referred to the Committee on Environment and Natural Resources.

**Senators Sparks, Metzen, Michel, Wergin and Higgins introduced--**

**S.F. No. 2473:** A bill for an act relating to financial institutions; providing an alternative method for collateralizing deposits of public funds; clarifying existing collateralization language; amending Minnesota Statutes 2002, sections 118A.01, subdivision 2, by adding a subdivision; 118A.03, subdivision 1; Minnesota Statutes 2003 Supplement, section 118A.03, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 118A.

Referred to the Committee on Commerce.

**Senators Anderson, LeClair, Dibble and Gaither introduced--**

**S.F. No. 2474:** A bill for an act relating to utilities; modifying cold weather rule; amending Minnesota Statutes 2002, section 216B.098, subdivision 2; Minnesota Statutes 2003 Supplement, section 216B.095; repealing Minnesota Statutes 2002, section 325E.015.

Referred to the Committee on Jobs, Energy and Community Development.

**Senator Dibble introduced--**

**S.F. No. 2475:** A bill for an act relating to capital improvement; authorizing bonding for a health care training center and science facility at Minneapolis Technical and Community College; appropriating money.

Referred to the Committee on Finance.

**Senators Belanger and Pogemiller introduced--**

**S.F. No. 2476:** A bill for an act relating to taxes; requiring certain disclosures for all tax refund anticipation loans; amending Minnesota Statutes 2003 Supplement, section 270.30, subdivision 8; repealing Minnesota Statutes 2003 Supplement, section 270.30, subdivision 1.

Referred to the Committee on Taxes.

**Senators Lourey, Berglin, Higgins, Kelley and Foley introduced--**

**S.F. No. 2477:** A bill for an act relating to human services; modifying date of application for general assistance medical care; reducing the co-payment for inpatient hospitalization services under general assistance medical care; amending Minnesota Statutes 2003 Supplement, section 256D.03, subdivisions 3, 4.

Referred to the Committee on Health and Family Security.

**Senators Moua, Lourey, Anderson and Pappas introduced--**

**S.F. No. 2478:** A bill for an act relating to job opportunity building zones; limiting tax incentives for certain retailers; amending Minnesota Statutes 2003 Supplement, section 469.310, subdivision 11.

Referred to the Committee on Jobs, Energy and Community Development.

**Senator Foley introduced--**

**S.F. No. 2479:** A bill for an act relating to courts; limiting postconviction relief; amending Minnesota Statutes 2002, section 590.01, subdivision 1, by adding a subdivision.

Referred to the Committee on Crime Prevention and Public Safety.

**Senators Ranum, Knutson, Neuville, Metzen and Cohen introduced--**

**S.F. No. 2480:** A bill for an act relating to state government; increasing a surcharge on certain recording and registration fees; appropriating money for legal services; amending Minnesota Statutes 2002, section 357.18, subdivision 3; Minnesota Statutes 2003 Supplement, sections 508.82, subdivision 1; 508A.82, subdivision 1.

Referred to the Committee on Finance.

**Senators Dille, Rosen, Sams, Pariseau and Vickerman introduced--**

**S.F. No. 2481:** A bill for an act relating to county agricultural societies; modifying provisions relating to county and regional fairs; amending Minnesota Statutes 2002, sections 38.01; 38.04; 38.12; 38.14; 38.15; 38.16; Minnesota Statutes 2003 Supplement, section 38.02, subdivision 1; repealing Minnesota Statutes 2002, sections 38.02, subdivisions 2, 4; 38.13.

Referred to the Committee on Agriculture, Veterans and Gaming.

**Senators Murphy, Stumpf and Ourada introduced--**

**S.F. No. 2482:** A bill for an act relating to highways; providing for development and implementation of a ten-ton system of county and county state-aid highways; authorizing state bonds; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 174.

Referred to the Committee on Finance.

**Senators Vickerman, Wiger, Sams, Lourey and Kubly introduced--**

**S.F. No. 2483:** A bill for an act relating to the military; reserving a military family's position under the child care assistance fund; prohibiting potential employers from inquiring about National Guard or reserve status; transferring responsibility for the veterans training program and general responsibility for veterans educational benefits to the commissioner of veterans affairs; requiring payment of a salary differential to school district employees who have reported to active military duty; requiring the commissioner of veterans affairs to provide information needed to implement a Persian Gulf war bonus to veterans; providing tuition reimbursement to certain military veterans at public colleges and universities; amending Minnesota Statutes 2002, section 119B.09, by adding a subdivision; Minnesota Statutes 2003 Supplement, sections 197.78, subdivision 1; 471.975; proposing coding for new law in Minnesota Statutes, chapters 181; 197.

Referred to the Committee on Agriculture, Veterans and Gaming.

**Senator Koering introduced--**

**S.F. No. 2484:** A bill for an act relating to state lands; authorizing public sale of certain tax-forfeited land that borders public water in Crow Wing County.

Referred to the Committee on Environment and Natural Resources.

**Senators Koering, Ruud and Stumpf introduced--**

**S.F. No. 2485:** A bill for an act relating to education; authorizing a fund transfer for Independent School District No. 116, Pillager.

Referred to the Committee on Finance.

**Senators Kleis, McGinn, Knutson, Ruud and Rosen introduced--**

**S.F. No. 2486:** A bill for an act relating to criminal justice and public safety; providing a life penalty for most first degree criminal sexual conduct crimes; creating indeterminate sentences and mandatory life sentences for second degree criminal sexual conduct and certain third and fourth degree criminal sexual conduct crimes; creating a criminal sexual predatory conduct crime; establishing minimum sentences for certain sex offenses; establishing the Minnesota Sex Offender Review Board; providing procedures for operation of the review board; specifying when an offender may petition for conditional release; directing the Sentencing Guidelines Commission to assess risk levels and presumptive sentences for certain offenses; requiring the commissioner of corrections to establish criteria and procedures for reviewing offenders' petitions for release; exempting the Minnesota Sex Offender Review Board and certain responsibilities of the commissioner of corrections from rulemaking; specifying that the Open Meeting Law does not apply to meetings and hearings of the Minnesota Sex Offender Review Board; instructing the revisor to renumber various statutes; repealing various laws pertaining to sex offenders; making various technical and conforming changes; providing criminal penalties; amending Minnesota Statutes 2002, sections 13D.01, subdivision 2; 241.67, subdivision 3; 243.166, subdivision 1; 244.05, subdivisions 1, 3, 4, 5, 6, 7; 244.052, subdivision 3; 244.195, subdivision 1; 253B.185, subdivision 2; 401.01, subdivision 2; 609.117, subdivisions 1, 2; 609.1351; 609.341, by adding

subdivisions; 609.342; 609.343; 609.344; 609.345; 609.3452, subdivision 4; 609.347; 609.3471; 609.348; 609.353; 631.045; Minnesota Statutes 2003 Supplement, section 14.03, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 244; 609; repealing Minnesota Statutes 2002, sections 609.108; 609.109.

Referred to the Committee on Crime Prevention and Public Safety.

**Senators Stumpf and Scheid introduced--**

**S.F. No. 2487:** A bill for an act relating to gambling; providing for lottery gaming machines; authorizing the director of the state lottery to contract for the placement of gaming machines at a gaming facility; imposing a tax on gaming machine revenue and providing for the use of gaming machine revenue; providing powers and duties to the director; providing for blackjack and other card games at a gaming facility; amending Minnesota Statutes 2002, sections 299L.07, subdivisions 2, 2a; 340A.410, subdivision 5; 349A.01, subdivision 10, by adding subdivisions; 349A.13; 541.20; 541.21; 609.75, subdivision 3; 609.761, subdivision 2; Minnesota Statutes 2003 Supplement, section 297A.94; proposing coding for new law in Minnesota Statutes, chapters 297A; 349A.

Referred to the Committee on Agriculture, Veterans and Gaming.

**Senators Knutson and Ruud introduced--**

**S.F. No. 2488:** A bill for an act relating to crime prevention; public safety; expanding the enhancement provision for repeat indecent exposure offenses; amending Minnesota Statutes 2002, section 617.23, subdivisions 2, 3.

Referred to the Committee on Crime Prevention and Public Safety.

**Senator Ruud introduced--**

**S.F. No. 2489:** A bill for an act relating to education; requiring student participation in a minimum number of physical education courses; changing term from elective standards to local standards; amending Minnesota Statutes 2003 Supplement, section 120B.022.

Referred to the Committee on Education.

**Senators Ruud, Wergin, Ortman and Larson introduced--**

**S.F. No. 2490:** A bill for an act relating to human services; creating a child care assistance provider reimbursement rate grant program; appropriating money.

Referred to the Committee on Health and Family Security.

**Senators Stumpf; Johnson, D.E.; Skoglund and Marko introduced--**

**S.F. No. 2491:** A bill for an act relating to insurance; creating a statewide health insurance pool for school district employees; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 62A.

Referred to the Committee on Education.

**Senators Anderson; Johnson, D.E. and Dibble introduced--**

**S.F. No. 2492:** A bill for an act relating to highways; defining hybrid vehicle and inherently low emission vehicle; allowing certain vehicles to be operated in toll lanes without payment of toll; allowing certain vehicles to be operated in high-occupancy vehicle lanes regardless of occupancy requirements; directing commissioner of public safety to issue decal or other identifier

to be affixed to certain vehicles; amending Minnesota Statutes 2002, section 160.02, by adding subdivisions; Minnesota Statutes 2003 Supplement, section 160.93, subdivision 4, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 161; 168.

Referred to the Committee on Finance.

**Senator Dille introduced--**

**S.F. No. 2493:** A bill for an act relating to economic development; establishing a program for sustainable family farms; proposing coding for new law in Minnesota Statutes, chapter 17.

Referred to the Committee on Agriculture, Veterans and Gaming.

**Senator Marko introduced--**

**S.F. No. 2494:** A bill for an act relating to school safety; allowing certain colors for school safety patrol accessories and flags.

Referred to the Committee on Education.

**Senators Moua, Pogemiller, Hottinger and Scheid introduced--**

**S.F. No. 2495:** A bill for an act relating to taxation; individual income; modifying the dependent care credit; amending Minnesota Statutes 2002, section 290.067, by adding a subdivision.

Referred to the Committee on Taxes.

**Senators Hottinger, Lourey, Foley and Scheid introduced--**

**S.F. No. 2496:** A bill for an act relating to human services; modifying child care assistance provisions; amending Minnesota Statutes 2002, sections 119B.011, by adding a subdivision; 119B.09, by adding a subdivision; 119B.13, by adding a subdivision; Minnesota Statutes 2003 Supplement, sections 119B.011, subdivision 20; 119B.03, subdivision 4; 119B.13, subdivision 1; repealing Laws 2003, First Special Session chapter 14, article 9, section 36.

Referred to the Committee on Health and Family Security.

**Senators Dille, Senjem, Robling, Ourada and Michel introduced--**

**S.F. No. 2497:** A bill for an act relating to veterans; proposing an amendment to the Minnesota Constitution, article XIII, section 8, to authorize general obligation bonding proceeds to be used to pay a bonus to Minnesota residents who served as members of the United States military during the Global War on Terrorism.

Referred to the Committee on Agriculture, Veterans and Gaming.

**Senator Skoglund introduced--**

**S.F. No. 2498:** A bill for an act relating to domestic abuse; providing that ex parte orders for protection and temporary restraining orders are effective upon a referee's signature; amending Minnesota Statutes 2002, section 518B.01, subdivision 7; Minnesota Statutes 2003 Supplement, section 609.748, subdivision 4.

Referred to the Committee on Judiciary.

**Senator Skoglund introduced--**

**S.F. No. 2499:** A bill for an act relating to corrections; authorizing a five-level correctional facility classification system; amending Minnesota Statutes 2003 Supplement, section 243.53, subdivision 1.

Referred to the Committee on Crime Prevention and Public Safety.

**Senator Skoglund introduced--**

**S.F. No. 2500:** A bill for an act relating to courts; modifying conciliation court debtor disclosures; amending Minnesota Statutes 2002, section 491A.02, subdivision 9.

Referred to the Committee on Judiciary.

**Senator Skoglund introduced--**

**S.F. No. 2501:** A bill for an act relating to government data practices; classifying municipal utility customer data and electronic municipal newsletter subscriber data; amending Minnesota Statutes 2002, section 13.685; proposing coding for new law in Minnesota Statutes, chapter 13.

Referred to the Committee on Judiciary.

**Senators Skoglund, Hottinger, Anderson, Ranum and Pappas introduced--**

**S.F. No. 2502:** A bill for an act relating to education finance; making four-year-old students eligible for extended time programs; amending Minnesota Statutes 2003 Supplement, section 126C.05, subdivision 15.

Referred to the Committee on Finance.

**Senator Skoglund introduced--**

**S.F. No. 2503:** A bill for an act relating to firearms; repealing exceptions to the general policy forbidding firearms on school property; amending Minnesota Statutes 2003 Supplement, section 609.66, subdivision 1d.

Referred to the Committee on Crime Prevention and Public Safety.

**Senators Kiscaden, Sams, Kelley and Lourey introduced--**

**S.F. No. 2504:** A bill for an act relating to health; modifying coverage through purchasing alliances for seasonal employees; amending Minnesota Statutes 2002, section 62T.02, by adding a subdivision.

Referred to the Committee on Health and Family Security.

**MEMBERS EXCUSED**

Senators Bakk, Kiscaden and Sams were excused from the Session of today. Senator Belanger was excused from the Session of today at 11:55 a.m.

**ADJOURNMENT**

Senator Johnson, D.E. moved that the Senate do now adjourn until 11:00 a.m., Thursday, March 4, 2004.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 34 and nays 27, as follows:

Those who voted in the affirmative were:

Anderson	Higgins	Marko	Pogemiller	Solon
Betzold	Hottinger	Marty	Ranum	Sparks
Chaudhary	Johnson, D.E.	McGinn	Rest	Stumpf
Cohen	Kelley	Metzen	Saxhaug	Tomassoni
Dibble	Kubly	Moua	Scheid	Vickerman
Dille	Langseth	Murphy	Skoe	Wiger
Foley	Lourey	Pappas	Skoglund	

Those who voted in the negative were:

Bachmann	Jungbauer	LeClair	Ortman	Ruud
Day	Kierlin	Limmer	Ourada	Senjem
Fischbach	Kleis	Michel	Pariseau	Wergin
Frederickson	Knutson	Neuville	Reiter	
Gaither	Koering	Nienow	Robling	
Hann	Larson	Olson	Rosen	

The motion prevailed. So the Senate adjourned.

Patrick E. Flahaven, Secretary of the Senate



# INDEX TO DAILY JOURNAL

Monday, March 1, 2004

## EXECUTIVE AND OFFICIAL COMMUNICATIONS

Page 2543

## REPORTS OF COMMITTEES AND SECOND READINGS

S.F. Nos.	Report Page	2nd Reading Page	H.F. Nos.	Report Page	2nd Reading Page
521 .....	2548	2562	1794 .....	2561	2562
1472 .....	2547				
1473 .....	2548				
1609 .....	2544				
1697 .....	2549	2562			
1699 .....	2552				
1760 .....	2559				
1799 .....	2549	2562			
1859 .....	2550	2562			
1928 .....	2548				
1939 .....	2548				
1941 .....	2546				
1942 .....	2550				
1946 .....	2544	2562			
1972 .....	2550				
1973 .....	2550				
1991 .....	2552				
2044 .....	2544	2562			
2137 .....	2548	2562			
2138 .....	2548	2562			
2182 .....	2545	2562			

## MOTIONS AND RESOLUTIONS

S.F. Nos.	Page	H.F. Nos.	Page
665 .....	2562		
1574 .....	2562		
1974 .....	2562		
1975 .....	2562		
2080 .....	2562		
2107 .....	2562		
2207 .....	2562		
2328 .....	2562		
2365 .....	2562		
2413 .....	2562		
Sen. Res. No. 111 .....	2562		
Sen. Res. No. 112 .....	2563		
Sen. Res. No. 113 .....	2563		
Sen. Res.			

No. 114 .....2563

**CALENDAR**

S.F. Nos.	Page	H.F. Nos.	Page
148	.....2564	480	..... 2564
1626	.....2563		
1745	.....2565		

**CONSENT CALENDAR**

S.F. Nos.	Page	H.F. Nos.	Page
1814	.....2566		
1815	.....2566		
1903	.....2567		
2063	.....2566		

**RECONSIDERATION**

S.F. Nos.	Page	H.F. Nos.	Page
1903	.....2567		

**INTRODUCTION AND FIRST READING OF SENATE BILLS**

S.F. Nos. 2416 to 2504 ..... Pages 2568 to 2582